


T H E  
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JOURNAL of the PROCEEDINGS and DEBATES in the  
POLITICAL CLUB, continued from Page 391.

*The Speech of M. Furius Camillus,  
in the Debate begun in our last,  
was in Substance thus, viz.*

*Mr. President,  
S I R,*

 AM glad to find that the Hon. Gentleman who spoke last, is for shewing some Sort of Regard to the Petition now before us. I confess, I had some Apprehensions, that this Petition would have been treated as the Petition of the City of London against the late famous Excise Scheme was treated, that you would only have ordered it to lie upon the Table; because, I am convinced the Petitioners, if they are allowed to be heard, either by themselves or Counsel, will be able to make out all they have alledged, and more than they have alledged in their Petition. For this Reason, I say, I was afraid that some Gentlemen would have been as much against any Person's being heard against this Scheme of a Peace, as they were against any Person's being heard against that Scheme of an Excise;

and, as this would have been shewing such a Disregard to the Merchants and Trade of our Country, as would, in my Opinion, have been inconsistent with the Honour of this House, therefore, for the A Sake of the Honour and Character of this Parliament; I am glad to find, we are like to shew a greater Regard to the Petition of our Merchants against the Scheme now before us, than was shewed by the last Parliament to the Petition of the City of London against the B Scheme I have mentioned; and, for the same Reason, since the Hon. Gentleman is willing to shew some Regard to the Petitioners upon this Occasion, I hope he will, at last, agree, that we should shew them C all possible Regard, by allowing them to be heard either by themselves or Counsel.

But, for my own Part, Sir, I must say, that I am quite indifferent, whether you admit them to be heard by their Counsel or no. I D should be extremely easy, even if you should refuse to hear them either by themselves or Counsel; for, with respect to this Scheme of  
L 11 Peace,

Peace, this Convention, which is now before us, I do not think I stand in Need of any Information the Petitioners can give, for assisting me to form a right Opinion of it. As Treaty-making could never be said to be the Talent of this Nation, we have made many Treaties that have afterwards been found to be disadvantageous; but, upon the very Face of this Convention, and at first View, it appears to me, to be not only the most disadvantageous, but the most dishonourable Treaty we ever made. Nothing, I think, can in the least excuse our agreeing to it, but our being in the most unfortunate, the most contemptible Situation, an independent Nation was ever in; and this, I am sure, the Petitioners cannot shew. If we are in such a Situation, which God forbid, it is those only who made this Treaty that can shew it; but, if they should tell us that this was their Reason for advising his Majesty to ratify such a Treaty, it is far from being an Argument for our approving it. Unlucky Circumstances, either at home or abroad, may be a Reason for suspending our Resentment, but it can never be a sufficient Reason for our agreeing to a dishonourable Treaty; and, if we are in such Circumstances, it is the Duty of this House, to enquire into the Conduct of those who have brought us into such Circumstances, and to punish them for their Wick- edness or Folly; for this Nation can never be brought into such Circumstances, but by the extreme Wick- edness or Folly of those who have been intrusted with the Administra- tion of our publick Affairs.

This, I say, Sir, is the Opinion I have already formed: It cannot be made worse by any Thing the Petitioners or their Counsel can say against, and I do not believe it will be made better by any Thing that can be said in Favour of this Con-

vention. But as some Gentlemen may not yet look upon this new Treaty, or rather Preliminary to a Treaty, in the same Light I do, and as I think it necessary we should be as unanimous as possible in an Affair of so great Importance, I shall be for giving as much fair Play as possible both to our Merchants, and to those whom I must, upon this Occasion, look on as their Antagonists, I mean our Negotiators, and others who were concerned in cooking up this whetting Moriel, which they seem to have contrived on Purpose for sharpening our Appetites, in order to make us digest any Treaty *Spain*, in all her Haughtiness, shall please to vouchsafe. I say, Sir, I shall be for giving both these Parties as much fair Play as they can desire, and therefore, I shall be for allowing the Petitioners to be heard by themselves or Counsel. When we have given them this Liberty, they may then chuse which they think best, and as they know their own Abilities, and the several Matters they have to lay before us, much better than we can pretend to, they are certainly better Judges than this House can be, whether it will be necessary for them to have Counsel; for unless they think it absolutely necessary for them to employ Counsel, we may depend on't they'll save themselves the Expence.

I am sorry to find, Sir, that those who are against this Question, should think it necessary, upon this Occasion, to throw out any Thing that may look like a Reflection upon the learned Gentlemen at the Bar. As they are not to set themselves up as Judges in any Case they are employed in, it is their Business, it is even their Duty, where no palpable Fraud appears, to state their Client's Case in the fairest Light they can; and if, upon one Side of the Question, the Case be designedly put in



a confused, or in a false or deceitful Light, or if any sophistical Arguments be made use of, it is the Business of those who are employed on the other Side, to state the Case in a clear Light, to expose the Falshood or Deceit, and to shew the Sophistry of the Arguments made use of by their Antagonists. This renders it almost impossible for the Judges, or indeed for any Hearer, to be deceived or imposed on by the Art of the Speaker, upon either Side of the Question; because the Speakers upon both are supposed to be, and generally are, pretty equally Masters of their Business; and therefore, the admitting of Counsel to be heard in any Case, either of a publick or private Nature, can never be of the least dangerous Consequence, but on the contrary, must always be of great Use for giving the Judges a clear and distinct Notion of the Case in which they are to give Judgment, and of the Arguments that may be made use of upon both Sides of the Question.

Sir, if the Argument the Hon. Gentleman has been pleased to make use of against hearing Counsel upon this Occasion, were of any Weight, it would be an Argument against hearing Counsel upon any Occasion whatsoever, or in any Case, either of a publick or private Nature; for we ought certainly to be as cautious of allowing ourselves to be imposed on, or artfully misled, in the latter, as in the former. Even the Judges of our Courts of Law and Equity ought to be afraid of hearing Counsel in any Case that comes before them. In short, we ought to treat Barristers at Law as we do Conjurers: We ought to make it penal for any Man to study or profess that Art, which we call the Art of Elocution. In this Case, what would be the Consequence? Every Man must necessarily plead his own Cause; and if none but Parties were to

be heard, they would be often unequally matched; for as one Man may be naturally more eloquent than another, and more accustomed to speak before a publick Assembly, not only this House, but every Court in the Kingdom, would be more liable to be imposed on by hearing Parties by themselves only, than by hearing them by their Counsel; because there might be a great deal of natural Eloquence, and perhaps Assurance, of one Side, and nothing but Confusion and Bashfulness on the other. Therefore, in every Case of Importance, whether of a publick or private Nature, it seems to be absolutely necessary to admit Parties to be heard, rather by their Counsel, than by themselves.

As the Gentlemen at the Bar, Sir, are never, in any Case which they plead, to give their Judgment or their Vote, they may therefore lawfully, honestly, and honourably take a Fee for pleading any Cause they undertake; but where a Man is to give his Judgment or his Vote, I am sure every Gentleman in this House will agree with me, that it is neither honourable, honest, nor lawful to take a Fee, or any other Reward, either for speaking or voting. He ought not so much as to accept of a Favour, or a Present, from either of the Parties concerned in the Case, in which he is to give his Vote or Judgment. Nay, in such Cases, if a Man has any particular Attachment to one Side more than the other, he ought not to look upon himself as an impartial Judge in that Affair; for which Reason, he ought to avoid giving his Opinion. In all Cases therefore, where there are two Parties concerned, Gentlemen ought to examine themselves strictly, before they venture to give their Judgment or their Vote upon either Side of the Question; for tho' the Heart cannot perhaps be corrupted, the Judgment may be

missed, by Favours received, or by personal Attachments.

Having thus shewn, Sir, that the Gentlemen, called Barristers at Law, are neither useless nor dangerous, and that they may be admitted to be heard in every Case that comes before us, without our running the least Risk of being imposed on by their Eloquence; I must now take some Notice of the other Arguments made use of against admitting them to be heard, in the Case now before us. As to Facts, Sir, I shall allow they are plain Things, more plain perhaps than some People desire. They are so plain, that I do not find they can be disguised by all the mercenary Eloquence in the Kingdom. But, as plain as they are, it requires some Art, some Practice, to state them in their proper Light, especially where they are numerous and of various Kinds. With respect to Facts, we know that true Eloquence consists in relating what are necessary, and no more than what are necessary; therefore, for saving Time, we ought to admit the Petitioners to be heard rather by their Counsel than by themselves; for as none of them are practised in the Art of Speaking, they may forget, or omit, to give us an Account of some of the most material Facts, and dwell upon others that are nothing to the Purpose; so that a great deal of our Time may be taken up in hearing a prolix Account of Facts that are of no great Signification, and yet at the End we may have but a very lame Account of those Facts which are the most material. Counsel, 'tis true, must have Instructions from those that employ them: They must, from their Clients, have an Account of the Facts that may be proved, and of the Witnesses that can prove them; but in the Course of the Examination some material Facts may be hinted at, which the Peti-

tioners did not before know of. If Counsel were present at the Bar, they would immediately lay hold of such Hints, and by putting proper Questions might have them fully explained: Whereas, otherwise, such Hints may probably pass unobserved, and by that Means some of the most material Facts may remain in Obscurity. From whence we may see, that it is not always from the Client that the Counsel are to learn what may be the proper Questions to be put to each Witness. The Client may in general say, that such a Witness is to be examined as to such a Point; but it is the Counsel that must think of the proper Questions to be put to him, in order to make him give an Account of all he knows relating to that Point; and those Questions cannot so much as be thought of, but in the Course of the Examination; which no Man can be supposed so capable of, as those who are daily conversant in such Affairs.

Thus, Sir, it appears that, with Regard to Facts, if we admit the Petitioners to be heard by themselves only, we may probably have a great deal more of our Time taken up, than if we were to admit them to be heard by their Counsel, and that we cannot expect so full and distinct an Account of all the material Facts, as we ought to have in an Affair of so great Importance. As we shall probably have a great many Petitions besides this now before us; as every one of those Petitions may complain of some particular Point that affects them only, the Examination of Witnesses must last for several Days, and must relate to Points of a very different Nature. In such a Case, can we suppose that any Gentleman, who has never made it his Business, will be able to sum up the Evidence? Let every Gentleman of this House apply the Case to himself: Let him



lay his Hand upon his Heart and declare, whether he thinks he would be able to sum up the Evidence, notwithstanding his being acquainted with, and perhaps accustomed to speak in this Assembly. What then can he expect from any Gentleman that never was of this House, nor ever before perhaps spoke before any publick Assembly?

Now, Sir, as to Matters of Right or Property, the Hon. Gentleman endeavoured first to shew, that no such Matter could come to be disputed before us. Sir, I believe the Rights of this Nation, that have been lately disputed by *Spain*, will not be in the least controverted before us. No Man will dare to stand up in this Assembly, and deny any one of those Rights, that *Spain* has been lately allowed to dispute with us. It was inconsistent with the Honour of the Nation to allow them to be disputed in any Negotiation. That of a free Navigation upon the open Seas, is a Right so plain and evident, and of such Consequence, that we ought to have broke off all Manner of Negotiation, as soon as the *Spaniards* pretended to deny it; and since they had pretended to set up a Claim that was inconsistent with this Right, we ought never to have renewed our Negotiations with them, till they had previously relinquished that unjust Claim, and expressly acknowledged our Right. Whereas it now appears, that we have not only negotiated, but have treated without any such Relinquishment or Acknowledgment: Nay, we have expressly, by this Treaty, referred it, amongst others, to be regulated.

What the Meaning of this Reference may be, Sir, what Interpretation may be put upon it, is a Matter of Right that must be inquired into, before we approve of this Treaty. It is not what Meaning may be put upon it by this

House, or by any Gentleman in this House, that we are to enquire into: It is what Meaning may be put upon it by *Spain*, or by Foreigners; for if the Court of *Spain*, or any foreign Court whatever, can suppose, that by this Reference we have in any Degree admitted of those Claims the *Spaniards* have lately set up against us, it will with them bring this Nation into Contempt; and surely the Parliament of *Great Britain* is not to approve of a Treaty that will bring *Great Britain* into Contempt, at any Court in *Europe*. It is not, Sir, because I have a Mind to find Fault with this Treaty, that I suppose this Reference will be interpreted as an Admission of the most dangerous Claim *Spain* has set up against us: It is because I think such a Reference cannot be otherwise interpreted, that I must find Fault with this Treaty. *Spain* pretends to a Right to search our Ships upon the open Seas, and to confiscate the Ship and Cargo, if one Shilling's Worth of any Goods be found on Board, which they may please to call the Produce or Manufacture of their Plantations. This Right, among the rest, we have referred to be regulated. Is not this acknowledging the Right? Is it possible to regulate a Right that never was in Being? Let us put the Case the other Way. We pretend, and most justly pretend, to a free Navigation in the open Seas. Formerly we pretended to a Dominion over the Seas; but now we are reduced to pretend only to what every independent State has a Right to by the Law of Nations; and even this Right we have, by this Treaty, referred to be regulated by *Spanish* Plenipotentiaries. Is not this the greatest Indignity that ever an independent Nation submitted to? Shall we allow *Spain* to prescribe Rules to the Freedom of our Navigation in the open Seas? If we should now say

say we cannot admit of any such Thing, *Spain* may justly reply, you have already admitted it by your preliminary Articles; the only Thing the Plenipotentiaries have to do, is, to settle and agree upon those Rules which we are to prescribe.

If any Man should claim of me, Sir, 1000*l.* which I knew he had not the least Pretence for, I should, perhaps, out of Charity, vouchsafe to hear what he could say in Justification of his Claim, but I should think myself a Madman, if, to avoid a Law-suit, I should submit such a Claim to Arbitration. We have heard the Reasons alledged by *Spain*, for every one of the unjust Claims they have lately set up against us. We have had the Patience to hear them over and over again, during the long Course of our Negotiations. We ought, I am sure we could, and I hope we have shewn them, that there is no Weight in any of the Reasons they have alledged, nor the least Foundation for any one of the Claims they have set up. This we might have done for once, without doing ourselves any notable Injury; but we negotiated too long, and now at last, by this Treaty, we have submitted all the unjust Claims they have set up against us to Arbitration. They must have been convinced long before now, that they had no reasonable Pretence for refusing to do us Justice; but, if they were not, can we hope that they will be more tractable, or less obstinate, in conferring, than we have already found them in negotiating? Can we expect that the Arguments of Mr. *Keene* the Plenipotentiary, will have greater Weight than the same Arguments had when urged by Mr. *Keene* the Envoy? No, Sir, they will not now admit him to say, you have no Right to search our Ships upon the open Seas, under any Pretence whatsoever: They will tell

him, you have already, by the preliminary Convention, admitted our Right; your only Business now is, to propose to our Plenipotentiaries such Regulations as may make our Right of searching as little hurtful to your Trade as possible. This is what I am convinced the *Spaniards* will say, and whether or no they may have a Right, from the Words of this Treaty, to say so, is a Question of Right, which we ought to hear argued by Counsel, before we pass Judgment upon this Convention. If there be the least Pretence for their saying so, they have already got a great Advantage over us, by his Majesty's Ratification; but they will get a much greater, by the Parliament's Approbation of that Treaty, which furnished them with such a Pretence.

I am glad to hear, Sir, from the Hon. Gentleman, that the Nation is far from being in any unfortunate Situation; because, he ought to know, and I am convinced he never speaks contrary to what he thinks; but, whatever we may think, or say within Doors, I'm afraid a very different Opinion generally prevails without Doors. The People do not judge from what they hear, but from what they see and feel. They have felt themselves insulted, plundered, and even cruelly used, by the *Spaniards*: They have, as yet, felt no Reparation, nor do they know of any Vengeance that has been taken. On the contrary, it is well known, both abroad and at home, that we have tamely submitted to repeated Insults and Depredations for many Years. We have submitted so long, that the *Spaniards* seem to think they have acquired a Right by Prescription, to plunder our Merchants, and abuse our Seamen, as often as they have a mind. From our suffering such Injuries and Indignities to pass unpunished, not only our own People,



but every Foreigner that hears of it, may have some Reason to conclude, that the Nation is in a weak and contemptible Condition, or that some of those, that have an Influence in our Counsels, are swayed by Motives inconsistent with the Honour and Interest of their Country. It is not from the Reports of his Majesty's Enemies, but from the Conduct of his Majesty's Ministers, that People form their Judgment; and therefore, if there be any one, either at home or abroad, that supposes this Nation to be in an unfortunate Situation, it must be imputed to his Majesty's Ministers, who, in this Respect might, indeed, be justly called his Majesty's greatest and most dangerous Enemies.

In the Case now before us, Sir, we ought to consider rather what the People without Doors may think, or what foreign Nations may think, than what any particular Gentleman of this House may think of our present Situation. From our past Conduct, I am afraid, foreign Nations have already begun to form a very unfavourable Opinion of our Circumstances; but, if they should see a Treaty approved of by Parliament, containing any Words that can be interpreted as an Admission of a Right, which no independent Nation ever submitted to, they must form a most contemptible Opinion of us, and certainly will treat us accordingly. Therefore, I think, it is absolutely necessary for us to hear Counsel, upon what may be thought to be the Import of that general Reference, which seems to be the chief Article of this Treaty.

I do not question, Sir, but that there are several Gentlemen in this House, who are pretty well acquainted with the Law of Nations, and the Nature of Treaties; I have one in my Eye, who must be allowed to be a great Master in this Way; for tho' he never made it his Pro-

fession, he is well known to have had great Practice; and, I make no doubt of our having his Assistance, when this Treaty comes to be explained. But no Gentleman, who never made this Study his Profession, can be supposed to be so well acquainted with it, as those that do. In one of our Courts of Justice, I mean our Court of Admiralty, we know that the Barristers or Advocates are obliged to make this Study their particular Profession; and as our other Barristers may happen to be employed in Appeals from that Court, most of them are obliged to make themselves thorough Masters of the Law of Nature and Nations, especially with regard to maritime Affairs. Therefore, when an important Question of any such Nature is like to come before us, it must always be of great Use to hear Counsel, before we give our Opinion upon the Question.

In any such Case, Sir, our admitting Counsel to be heard, can never be a dangerous Precedent. If it were established as a general Rule, it could be attended with no bad Consequence; because such Cases but rarely occur. But, if they were much more frequent, it would be no Argument against our doing our Duty, which is, in all Cases, to endeavour to be thoroughly informed, before we give our Opinion. If this should prolong our Sessions of Parliament, and if the Length of our Sessions should make it necessary to revive the antient Custom of paying Wages to our Parliament Men, I cannot think that either would be a Loss to the Nation, or an Innovation of our Constitution. The last would certainly be an Advantage, because it would make our little Boroughs do as many of them have formerly done: It would make them petition for being freed from the Burthen of sending Burgesses to Parliament; and if no little Borough in the King-

Kingdom sent a Member to this House, it would, in my Opinion, be an Advantage to the Nation, and an Improvement of our Constitution; because the People would be much more equally represented.

But now, Sir, suppose it were allowed to be an established Rule in our Proceedings, never to admit Counsel to be heard in any Case, where no private Right or Property is concerned, yet this could be no Argument against our admitting Counsel to be heard with regard to this Convention; for, if we are ever to admit Counsel to be heard in any Case, that may relate to Matters of private Right or Property, they ought to be admitted to be heard in this; because it must be granted, that the private Property of great Numbers of his Majesty's Subjects is deeply concerned. The Claims of our Merchants, the Property they have been robb'd of, amounts to above 400,000*l*. The very Petitioners now before us have a great Share in this Property; and shall we say, their private Property is no way concerned, when that whole Claim is to be given up for 95,000*l*? Can a Man's private Property be said to be no way concerned, when he finds himself in Danger of being obliged, by Authority of Parliament, to accept of less than 5*s*. in the Pound, from a Debtor who does not so much as pretend to be Bankrupt or Insolvent?

The People of *Georgia* and *Carolina*, Sir, have a Property in the Lands they possess, founded upon what ought to be held one of the most sacred Rights in the World, the King's Grant, and their own Industry; and can their Property be said to be no way concerned, when Limits are to be settled, by which some of them must, and, for what they or we know, all of them may be stript of their Possessions. I say, Sir, some of them must, and all of them may; for if we happen to be

infected with the same complaisant Humour, when we conclude the definitive Treaty, with which we seem to have been infected when we concluded the Preliminary Articles, I do not know but the Whole, or a great Part of *South Carolina* may be made a Present of, for keeping the *Spaniards* in good Humour. At least, some of the Southern Parts of *Georgia* must be given up; for it would have been ridiculous in us to refer the Limits between the *Spaniards* and us in *Florida* to be settled by Plenipotentiaries, if at the same Time we had been resolved not to part with an Inch of what we then pretended to.

The *South-Sea* Company, Sir, have a Right and Property in the *Affiento* Contract; a Property that would have been of great Value to them, as well as to the Nation, if we had taken Care to resent, in a proper Manner, every Invasion that was made upon it. Can it then be said, that the private Property of the *South-Sea* Company is no way concerned in a Treaty, when, by the fundamental Article of that Treaty, I mean the King of *Spain's* Declaration, agreed upon with reciprocal Accord, we have, in some Measure, acknowledged his Right to suspend the *Affiento* Contract, unless that Company subjects herself to pay, within a short Term, a large Sum of Money, which he has no good Right to demand, and which, tho' he had, he ought to allow in Part Payment of a much greater Sum due by him to them?

Sir, the private Property of the *South-Sea* Company must be so deeply concerned in any Question that can come before us relating to this Convention, and has, in my Opinion, been so greatly injured by our receiving or agreeing to this Declaration, that I am surprized they were not the first to petition against the Convention. I know of no Means



Means that have been made use of, either publick or private, for spirit-  
ing up Petitions against it, except  
that of its being printed and pub-  
lished: I believe there was no Oc-  
casion for making use of any other  
Means. But, if the *South-Sea Com-*  
pany do not petition against it, I  
shall be convinced that some under-  
hand Means have been made use of  
for preventing such Petitions; and  
from thence, I shall be apt to sus-  
pect that, if it had been possible to  
procure any one Petition in its Fa-  
vour, no proper Means would have  
been wanting.

But, Sir, whatever Means may  
have been made use of for spirit-  
ing up Petitions, either for or against  
this Convention, I think I have  
made it appear, that the private  
Property of a great many of his  
Majesty's Subjects, must be con-  
cerned in any Question that can  
come before us relating to it: I  
think it is evident, that the private  
Property of those, whose Petition  
we have now before us, must be  
deeply concerned; and therefore, if  
Counsel are ever to be heard in any  
Case, where private Property is  
concerned, they ought to be heard  
when we come to take this Conven-  
tion into our Consideration. For  
which Reason, I shall be for agree-  
ing to the Motion without any  
Amendment.

*The next Speech I shall give you upon  
this Subject, was that of T. Quin-  
tius Capitolinus, the Purport of  
which was as follows, viz.*

Mr. President,  
S I R,

**T**H O' I am far from thinking  
it dangerous to hear Counsel  
upon any Case whatever, yet I can-  
not think it is always necessary, and  
in Parliamentary Affairs, when it is  
not absolutely necessary, I must  
think it ought not to be allowed;

because, by so doing, we take up  
a great deal of our Time, and lay  
those who have Business before us  
under a Temptation, at least, of  
putting themselves to Expence, to  
no Purpose. This, Sir, is far from  
being a new Opinion, or a new  
Way of thinking; for, however ne-  
cessary we may now think it, to  
hear Counsel in every Case that  
comes before Parliament, or before  
our Courts of Justice, it was not  
thought so of old: So far otherwise,  
that by the Common Law of *Eng-  
land*, neither the Plaintiff nor De-  
fendant, in any of our Courts of Jus-  
tice, could appear by his Attorney,  
without the King's special Licence  
signified to the Court, by his Writ  
or Letters Patents: Every Man of  
old was obliged both to prosecute  
and defend his Suit in his own Per-  
son; and, upon this Custom, the  
learned *Coke* observes, that it made  
Law-Suits less frequent, which, I  
believe, was no Loss to the King-  
dom in general, whatever Inconve-  
nience it might be to particular  
Persons.

However, Sir, whether the mo-  
dern Practice of admitting every  
Man that pleases to appear by his  
Attorney, and hearing Counsel al-  
most upon every Case that occurs,  
be more for the Benefit of the Na-  
tion, I shall not now take upon me  
to determine. Only, so far, I think,  
I may say upon the present Occa-  
sion, that it would be very unad-  
visable to introduce the Custom of  
permitting every Man to be heard  
by his Counsel, that might think  
himself aggrieved, by any Regula-  
tion proposed in Parliament for the  
publick Good. In some Cases of  
an extraordinary Nature, this per-  
haps has been allowed; but it can-  
not yet be said to be an established  
Custom; and I hope it never will.  
In Cases where the Rights and Pro-  
perties of private Men appear to  
be concerned, it may sometimes be

necessary to hear Counsel; but even with regard to such Cases, the Hon. Gentlemen, who have spoke upon the other Side of the Question, seem to be in a Mistake. They seem to think, that in all such Cases we ought to allow Parties to be heard by themselves or Counsel, which is far from being a Rule, nor ought it ever to be admitted as a Rule in our Proceedings. Even in such Cases, we ought to distinguish between those in which some nice Point of Law may probably arise, and those in which no such Point of Law can come to be canvassed before us. In those Cases, where not only the Property of private Men appears to be concerned, but where some nice Point of Law relating to that Property may probably come to be disputed, it becomes necessary for us to have that Point argued by Counsel, learned in the Laws of the Kingdom; and for that Reason we ought, in such Cases, to admit the Parties, or Petitioners, to be heard by themselves or Counsel: But in Cases where no such Point can be expected to arise, notwithstanding their being such as may affect the Property of some private Men, it is no Way necessary, nor ought we to take up our Time with hearing Counsel as to Facts, or clear Points of Law, which every Gentleman in the House may comprehend as readily, and as fully, as the most learned Lawyer that can be brought to plead before us.

This, I believe, Sir, will be allowed to be the Case, with regard to the Convention, which we are soon to have under our Consideration, and against which the Petitioners, now before us, have been pleased to bring their Complaint. The Right or Property of some private Men may perhaps be affected, by any Resolution we can come to upon that Occasion; but no one, I think, can expect, that any difficult Point of

Law, relating to that Right or Property, can come to be disputed: At least, for my own Part, I expect no such Thing; and therefore I must think it quite unnecessary to take up our Time with hearing Counsel, either for or against the Convention. But if I should find myself mistaken, if in the Course of our Examination some Point of Law should arise, which may be thought proper to have explained by Counsel, we may then order, that the Petitioners shall be heard by themselves or Counsel, as to that Point only.

In this Way, Sir, we may save ourselves a great deal of Time and Trouble, and may prevent the Petitioners putting themselves to a needless Expence; and if this Method were established as a general Rule in all our Proceedings, even in Cases where the Right or Property of private Men may be affected, no Man could say it would be any Way inconsistent with our Constitution; for in criminal Cases of the highest Nature, in Cases of Felony, the Prisoner is not admitted to be heard by Counsel, unless upon the Trial some Point of Law arises, and then he is to be heard by Counsel as to that Point only; and even in Cases of High Treason our Constitution was the same, till it was altered by a late Statute; for where the Law is plain, there is certainly no Occasion for Counsel in any Case, either before Parliament or any inferior Court of Judicature; and as to Facts, they ought to be related and explained so as to make the Truth appear, by the Depositions of honest and sincere Witnesses, and not by the Glosses that may be put upon them by ingenious and artful Pleaders.

Therefore, Sir, by the ancient Form of our Constitution, and by what I think, for the Sake of Dispatch, ought to be observed as a Rule in our Proceedings, we have no present Occasion to or-



der the Petitioners to be heard by their Counsel. Nay, they themselves seem to be conscious that it ought not to be done; for they have not so much as petitioned to be heard by themselves or Counsel, they have petitioned only in general to be heard. As I have said, if in the Course of the Examination any difficult Point of Law should arise, we may then give them leave to be heard by Counsel, as to that Point: But I am convinced no such Point will arise: I believe no difficult Point of Law can arise, relating to any private Right or Property, that can be affected by this Convention; and if any Question should arise relating to Matters of publick Right, or the Meaning of Words in this or any other Treaty, we have the good Fortune to have several Gentlemen amongst us, that can speak to it as fully, and as learnedly, as any Counsel the Petitioners can employ; and as an Addition to our good Fortune in this Respect, I believe, those Gentlemen will not be all of one Side: I even hope they will be of different Opinions, in order that we may hear the Point as fully argued in that Case, as we usually do in other Cases of the same Nature. Then, as to managing or summing up the Evidence, we have the same good Fortune. We have Gentlemen amongst us, that are as capable of putting proper Questions to the Witnesses, during the Examination, and summing up the Evidence after the Examination is finish'd, as any Lawyer that ever appeared at our Bar; and as some of those Gentlemen may probably be of the same Opinion with the Petitioners, and some of a contrary Opinion, we may expect to have the Examination well managed, and the Evidence fully summed up on both Sides.

I am surprized, Sir, any Gentleman can imagine, that less of our Time will be taken up in hearing

the Petitioners both by themselves and their Counsel, than in hearing them by themselves only; for this is really the Case. If you order them to be heard by themselves or Counsel, 'tis certain, I think, they will chuse to have Counsel, not because it is necessary, but because, after the Counsel have opened the Subject-Matter of their Complaint, such of them as can say any Thing upon the Subject, will be called as Witnesses, and may, in that Shape, say as much, and take up as much of your Time, as if they were to be heard by themselves only. By this Means, they will have the Advantage of having their Case twice laid before you, and in a two-fold Manner, first by their Counsel, and then by themselves; and therefore, I think, it is certain, they will chuse to be heard by their Counsel, in case you give them Leave.

But there is another Reason, Sir, why, I think, they will chuse to be heard by their Counsel, which, in my Opinion, ought to be a strong Reason with us not to hear them by Counsel. 'Tis certain we have not obtained so much by this Convention as some sanguine People might expect: 'Tis certain we never did obtain so much by any Treaty we have made, nor ever shall by any Treaty we can make. Wise Men will always give up something of what they may have Reason to expect, rather than risk the Whole upon the doubtful Event of a War; and what they do give up, will always be in Proportion to the Chance that is against you. To set this Chance in its proper Light, the Power of your Enemies and your own Weakness must be truly represented, without magnifying either the one or the other; but as it is, and always will be, unpopular to talk of the Strength of your Enemies, or of your own Weakness, therefore the popular Side of the

Question will always be against any Treaty or Convention you can make; and as there is always the greatest Scope for Eloquence upon the popular Side of any Question, the Petitioners will certainly chuse to have as much Eloquence upon their Side as possible, and for that Purpose will chuse to have Counsel, if we give them the Liberty: But with us this ought to be a Reason for not admitting them to be heard by their Counsel; because we are to consider, not what is most popular, but what appears, from the present Circumstances of Things, to be most for the publick Good. As this is certainly the Duty of every Member of this House, I do not believe that any Gentleman, who has the Honour of being a Member, will allow himself to be influenced by the Eloquence either of the Petitioners or their Counsel; and therefore, if there were none here present but Members, I believe, neither Side would attempt to take up our Time with their Eloquence; but as there is upon all Occasions a great Number of Persons present, besides those that have a Right to be here, I am afraid, if we admit Counsel, they will consider rather what they may say to the Audience, than what they ought to say to the Judges; and that consequently a great Part of our Time will be unnecessarily taken up, in hearing florid Harangues upon the Riches and Strength of the Nation, upon the Courage of our People, and upon our warlike Exploits in former Ages.

I hope I have now shewn, Sir, that it does not yet appear to us, that it will be any Way necessary for us to hear Counsel upon any Thing relating to the Convention; and that our hearing the Petitioners by themselves and Counsel, which, I have shewn, will be the Case, if we order them to be heard by themselves or Counsel, must necessarily

take up a great deal more of our Time, than if we hear them by themselves only; therefore, I hope I shall be excused, if I give my Vote for the Amendment proposed.

A *The last Speech I shall give you upon this Subject, was that made by L. Junius Brutus, which was to this Effect, viz.*

Mr. President,  
S I R,

B **T**HE Gentlemen who have spoke upon this Occasion, against admitting the Petitioners to be heard by Counsel, put me in Mind of the old fabulous Story of *Proteus*. When they find themselves like to be overcome in one Shape, they turn themselves to another. In the former Part of this Debate they told us, Counsel were never to be heard, but in Cases where the Rights or Properties of private Men were like to be affected, by what was to come under the Consideration of Parliament. In Answer to this, it was, I think, demonstrated, that the Right and Property of private Men must be greatly affected by this Convention, especially if it should unhappily meet with the Approbation of Parliament. This they could not deny, and therefore E they have now turned themselves into another Shape, by saying, that Counsel are not to be heard, even where the Property of private Men may be affected, unless some nice Point of Law arises, during the Course of the Examination, relating to that private Property. This they F say ought to be the Rule in all our Proceedings. They do not say it is, or that it ever was a Rule. They could not say so; for every one knows, that it is contrary to the whole Tenor of our Proceedings, as far back G as we can trace our Journals. It would be ridiculous to attempt to shew it to be so by Precedents: They are so numerous that they



may be said to be numberless. But what is still more extraordinary, they have endeavoured to shew, that this ought to be a Rule, by mentioning some old Customs, which, because of the Inconvenience or Injustice of them, have been abrogated.

In antient Times, Sir, it was perhaps a Rule, that no Man should be allowed to sue or defend by his Attorney, without the King's Licence; and this could be attended with but little Inconvenience to the Subject, whilst almost all Causes were heard and determined in the County where the Parties resided: But as soon as the King's Courts began to be fixed at *Westminster*, it became necessary to allow every Man to sue or defend by his Attorney; for which Reason the King's Licence became a Writ of Course, and at last, as being a needless Expence to the Suitors, was intirely laid aside; so that for some hundreds of Years past, Parties in all civil Causes have been constantly allowed, without any Warrant by the King's Writ or Letters Patents, to appear by Attorney, and to have their Cause pleaded by Counsel; which, without doubt, makes Law-Suits more frequent than they would otherwise be; for if Parties were now obliged to attend a tedious Law-Suit, and neglect all their other Business, no Man would either prosecute or defend his Right, unless it were of a very great Value.

Then, Sir, as to criminal Causes, I know that those who were accused of Treason or Felony, were not of old allowed Counsel, unless some difficult Point of Law happened to be started upon the Trial; because, as our Lawyers say, the Judges are to be of Counsel for the Prisoner. But every Man will, I believe, grant, that this was a Severity, introduced in favour of the Crown, not very favourable for the Subject. Our Volumes of State Trials will make it appear, how seldom the Judges have acted the Part of being Counsel

for the Prisoner. They often appear rather to have acted the Part of being Counsel against him, and have treated a Man as a Traitor before he was condemned, either by God or his Country. Thank God! with regard to Treason, we have got free of being obliged to have none other but such Counsel: We have got this ridiculous Custom altered by Means of the Revolution, which has in some Measure restored our original Constitution, tho' not so fully as it ought to have done; for a Revolution introduced and established upon the Principles of Liberty, ought to have rooted out every Stem of arbitrary Power, whereas, in some Cases, it may rather be said to have planted them; which shews the Weakness of human Foresight, and how necessary it is for the Patrons of Liberty to be always upon their Guard.

With respect to Felonies, 'tis true, Sir, the antient Custom still remains; but I am surprized it has not in this Case likewise been altered by Statute. 'Tis better twenty Guilty escape than one Innocent suffer; and I am convinced, this Custom has been the Occasion of many an innocent Man's being condemned, who, if he had been allowed Counsel, would have made his Innocence bright as the Sun-shine. 'Tis impossible for an ignorant Man to tell when a Point of Law arises. The more innocent he is, the more ignorant we may suppose him: Those that are never guilty of any Crime, are seldom at the Pains to study the criminal Laws of the Kingdom, or the Methods of Trial in such Cases; and therefore the more unfit are they, of themselves, to conduct the Examination of Witnesses, or to take Notice, and make the proper Advantage of any Point of Law that may arise in the Course of the Examination. They must depend entirely upon their Judges, and the Judges may, in the Case of Felonies, be-

behave as they have heretofore done in the Case of Treason: They may brow-beat the Prisoner, and thereby prevent his taking Notice of, or insisting upon those Points of Law, which he may have good Reason to insist on.

But, Sir, whether this Custom of allowing Persons accused of Treason or Felony to have Counsel, be a laudable Custom or not, it is a Custom that has never been observed by Parliament. Was there ever a Person accused in Parliament of any Crime or Misdemeanor, that was not allowed Counsel, if he desired it? In Bills of Pains and Penalties, are not those against whom the Bill is designed, always allowed to be heard by their Counsel against the Bill? In Impeachments in the other House, the Person impeached, tho' for High Treason, has always been allowed Counsel, even when the Custom prevailed of not allowing Counsel to Persons that were to be tried for such Crimes in inferior Courts. It is therefore wrong to draw Arguments from what is now, or ever was, the Practice of inferior Courts, for shewing what is or ought to be the Practice of Parliament. But of all Things I am surprized to hear such an Argument made use of by those, who are against admitting the Petitioners to be heard by their Counsel against the Convention. Surely, the Gentlemen who make use of this Argument, do not look upon the Petitioners as Criminals. They can be look'd on as such by none but those who look upon every Man as a Criminal that dares to oppose, or find Fault with any Thing that is done, or proposed to be done by the Minister. Sir, if there be any Criminals in the present Case, it is they who have negotiated and approved of a Treaty, which the Petitioners judge, which the whole Nation judges, to be one of the most dishonourable and disadvantageous Treaties that was ever made. They

are the Criminals, if there be any, in the Case now before us; and the Petitioners are the Prosecutors. Therefore, if we follow the Custom of inferior Courts with Regard to Treasons and Felonies, the Petitioners ought to be allowed Counsel, but our Treaty-makers none.

However, Sir, as this Custom was never yet introduced into Parliament: As we have always allowed Counsel to those, that have been brought before us for any Crime or Misdemeanor, I shall be for allowing even our Treaty-makers to be heard by themselves or Counsel, if they have a Mind to desire it; and if, upon their Treaty's being censured by Parliament, which I hope it will, they should be prosecuted either by a Bill of Pains and Penalties, or by any other Parliamentary Method of Prosecution, I should be for allowing them more Favour than some of their Friends seem willing to allow to the Petitioners: I should be for allowing them to be heard by their Counsel against any such Bill or Prosecution.

It is a little extraordinary to say, we must not allow the Petitioners to be heard by Counsel, because they have not expressly petitioned for it. Sir, they have petitioned to be heard, but they have been so modest as to leave it entirely to us to appoint which Way they shall be heard. Their Modesty shews their Respect for this House, and shall we make People suffer for shewing us a decent Respect? If we should ever do so, I should think we would deserve to meet with none, upon any future Application; and, now it has been moved to order them to be heard by themselves or Counsel, if we should refuse to give them the Liberty of being heard by their Counsel, I am afraid, it will be look'd on, by People without Doors, as a preliminary Step towards our approving of this preliminary Treaty,



ty, which the whole Nation disapproves of, and consequently will very much tend towards diminishing that Respect, which the People of this Nation have always hitherto had for their Parliaments. They will despair of ever meeting with any Relief from Parliament, and as soon as this Despair becomes general, they will begin to think of other Methods for obtaining Relief, which may be attended with the most dreadful Consequences: Consequences that may be fatal to our Religion and Liberties, but Consequences that may, much more probably, be fatal to the Royal Family now upon the Throne.

I shall readily grant, Sir, that wise Men will give up something of what they may reasonably demand, rather than risk the Whole upon the doubtful Event of a War, especially when the Chance of War seems to be against them. But whatever the Precepts of Christianity may inculcate, I am sure the Precepts of Wisdom, especially in political Affairs, can never direct that, if an Enemy takes our Cloak, we should give him our Coat also, or that, if he gives us a Box on one Ear, we should hold up to him the other; which seems to be our Case with regard to *Spain*. They have taken from us our Cloak, and by this Convention, we seem willing to give them our Coat also: They have given us a most hearty Blow, I may say several Blows, on one Ear, and by this Convention, we seem to hold up to them the other. They let a Captain of one of our Merchant-Ships escape, some Years since, with the Loss of but one Ear; but, if a *British* Parliament approves of this Convention, every *British* Subject, that shall hereafter have the Misfortune of falling into their Hands, must expect to lose both.

I shall likewise grant, Sir, that in order to determine whether the

Chance of War be for us or against us, the Power of our Enemies and our own Weakness must be considered, and that, in order to judge whether we ought to have accepted of this Convention, we ought to view both in their proper and true Light; but, if *Spain* is to be assisted by none of the other Powers of *Europe*, I am sure, neither their Power nor our Weakness can be urged for our giving up any Thing we have a just Pretence to. I am sure, *Spain* is not now near so powerful as it was in the Days of *Q. Elizabeth*, and considering the Union of the two Kingdoms of *England* and *Scotland*, and the great Improvements we have made in our Trade and Plantations, since that Queen's Reign, tho' we have been upon the Decline for some Years past, yet I must think, we are now more powerful than we were at that Time; and yet, that wise Queen was so far from bearing tamely any Injury that was offered by the *Spaniards*, that she always pursued them with immediate Vengeance, and provoked them to Battle in every Corner of the World. Therefore, if *Spain* is not to be assisted by any of the other Powers of *Europe*, we could be under no Necessity to accept of this Convention; and if the *Spaniards* are to be supported by *France*, in the unjust Claims they have set up against us, and the Piracies and Cruelties they have committed upon our Merchants and Seamen, I must say, we have shewn a great deal of Complaisance to that Kingdom, for almost these twenty Years past, to very little Purpose.

But these Things, Sir, the Counsel that are to be heard for the Petitioners can have nothing to do with. They are only to shew us what we have given up, or what we may be supposed to have given up, by this Treaty, and the Consequences of the Concessions we have made,

made, or are like to make, with regard to the Nation in general, and with regard to the Rights and Properties of the Petitioners in particular. It is we in this House, and we only, that are to consider, whether we are in such Circumstances as to render it necessary for us to make such Concessions. The Counsel have nothing to do with, nor can they be supposed to know, any Thing either of the Circumstances of this Nation, or of the Circumstances of our Enemies; therefore we cannot expect to hear from them any florid Harangues either upon our own Strength or Courage, or upon the Weakness and Cowardice of our Enemies; and consequently we need not be afraid of having our Time taken up with hearing any eloquent Addresses made by them to the Galleries. But after they have finished and are withdrawn, I shall expect to hear from some Gentlemen in this House, as florid Harangues as they are capable of making, upon the Utility and Wisdom of peaceable Measures, which, in a trading Nation, is certainly a more popular Subject, and consequently a Subject which affords a greater Scope for Eloquence, than the Subject of War can afford to any Orator in the Kingdom. The Love of Peace and peaceable Measures will always be a popular Subject among a rich and industrious People, as long as there is nothing done for the Sake of Peace, that is either dishonourable or disadvantageous to the Nation. But when this happens to be the Case, I shall admit that War then becomes the popular Subject, which, I am afraid, indeed, is too much our Case at present.

Sir, it seems now, as I have said, to be allowed, even by the Gentlemen who have spoke upon the other Side of the Question, that the Rights and Properties of private Men may

be greatly affected by this Convention; but, say these Gentlemen, shall we allow every Man to be heard by his Counsel, that may think himself aggrieved by any Regulation proposed in Parliament for the publick Good? I shall grant, Sir, that the publick Interest is to be preferred to the Interest of any private Man; but I hope it will be likewise granted, that if any particular private Man, or Set of private Men, is to suffer a real Loss by what is to be done for the publick Good, the Publick ought to make him all possible Atonement; and therefore, if any Set of private Men think that they in particular will be aggrieved by what is proposed for the publick Good, and we see Cause to believe that it may be so, we generally ought not only to receive their Petition, but to allow them to be heard by their Counsel; and that, even altho' there be no Likelihood that any difficult Question in Law, relating to their Property, can arise upon our Examination into the Affair. For if a private Man must suffer for the Sake of the Publick, we ought to give him an Opportunity of making the Amount of what he is like to suffer appear as clearly as possible, in order that we may provide a Remedy, or make him an adequate Satisfaction.

However, Sir, as the Gentlemen of the other Side have allowed that, in Cases where difficult Points of Law relating to the Rights of private Men may probably arise, the Petitioners ought to be allowed Counsel, I think this alone is sufficient for convincing us that, in the present Case, the Petitioners ought to be admitted to be heard by themselves or Counsel. For, I think, it is evident, that a very nice Point of Law must arise, when we come to take the Convention into Consideration. We must then enquire into the Import and Meaning of those Words



Words in the Convention, by which we submit all the Claims set up by Spain to be regulated by Commissaries. I hope these Words do not import an Admission of any of their Claims; but I am far from being clear as to this Point; and I am sure it is a Point in which the Property of every one of our Planters in the *West-Indies*, especially *Jamaica*, is deeply concerned. I could mention several other nice Points that will probably arise in the Course of our Examination; but this I take to be sufficient for shewing the Necessity of admitting the Petitioners to be heard by Counsel, even according to the Maxims laid down by those that argue against it.

Now, Sir, as to our Time, I must confess that an Hon. Gentleman has fallen upon a very ingenious Method for persuading us, that more of our Time will be taken up in hearing the Petitioners by their Counsel, than by themselves only. He has told us, that, if we order them to be heard by themselves or Counsel, it will in effect be, to hear them both by themselves and Counsel; because, says he, we shall first hear their Case stated by their Counsel, and then we shall hear it stated again by them, when they come to be examined as Witnesses. I wish the Hon. Gentleman had considered, for surely he knows, what is the Business of Counsel, and what is the Business of Witnesses upon such Occasions. It is the Business of Counsel to state the Case, before the Examination of Witnesses begins, and to sum up the Evidence after it is over; both which they are to do in as clear and as short a Manner as they can; and it is likewise their Business to take Care, that every Witness shall give an Account of all the material Facts he knows, in as plain and clear Terms as possible. Then it is the Business of every Witness to give a true and sincere Account

of all he knows, relating to the Affair upon which he is examined, and to give plain Answers to such Questions as shall be put to him. This is their respective Duties, and it is the Business of the Judge to keep them to their Duty; therefore, after the Petitioners Case has been stated by their Counsel, none of them can, and, I believe, none of them will presume to state it over again, when they come to be examined as Witnesses: If any one of them should, any Member may rise up, and by giving him a proper Check, confine him to his Duty. But if we do not admit the Petitioners to be heard by Counsel, what must be the Consequence? Some of themselves must supply the Place of Counsel. Some of them, by the Appointment of the rest, must state the Case at the Beginning of the Examination, and some of them must sum up the Evidence after the Examination is over; and those very Petitioners, who are appointed to state the Case, or sum of the Evidence, may, nay probably must, be examined, as Witnesses, for proving some of the Facts that may not perhaps be known to any of the other Witnesses; for otherwise, you would lay the Petitioners under a very great Disadvantage, because the best Speakers among them may be the best Witnesses, and if you should refuse to hear them in a double Capacity, the Petitioners must be deprived of having their Case stated by the best, perhaps the only, Spokesmen among them, or of having their best Witnesses admitted to be examined. Therefore, in this Way, as well as the other, they will have an Opportunity, if they should think proper, and you should allow them, to lay their Case twice before you, first as Petitioners, and next as Witnesses. But the Difference between the two Methods of hearing them is, that,

if you hear them by themselves only, as they are not accustomed to such Things, and may be more sanguine than they ought to be, as most People are in their own Cause, they will, probably, be more tedious, both in stating their Case, and summing up their Evidence, than Counsel would be: And even when they are examined as Witnesses, their Fear of forgetting any Thing material, will make them more apt to fall into Repetitions and Tautologies, than they would be, had they Counsel at the Bar to direct them, and to put them in Mind of any material Fact which they knew, and had forgot to give an Account of. From whence, we must conclude, that more of our Time will be unnecessarily taken up in hearing the Petitioners by themselves only, than in hearing them by their Counsel.

I have as good an Opinion in general of the Talents and Qualifications of those, who have the Honour to be Members of this House, as any Man can have: I have a very great Opinion of the Abilities of some amongst us; but, Sir, as we are Judges, we cannot be Counsel in any Affair that comes before this House; unless we take up that Office which, the Lawyers say, is the Duty of those who are the Judges of our inferior Courts, I mean that of being Counsel for those that are accused of any Crime or Misdemeanor. If we consider ourselves in this Light, we must be of Counsel against the Petitioners, we must be of Counsel for those who, the Petitioners say, have brought their Country into a most dishonourable and disadvantageous Treaty; and in this Light, surely, we must allow the Petitioners to have Counsel, as other Prosecutors have; because we are all to be of Counsel, rather against them than for them. But suppose it were otherwise, since no

Gentleman can be supposed to be so well acquainted with the Laws, as those who are in daily Practice, therefore, I think, it will be extremely proper, if not absolutely necessary for us, to hear Counsel upon the Point I have mentioned, and upon several other Points of Law, that may probably arise in the Course of the Examination; and as I think a great deal less of our Time will be taken up in hearing the Petitioners by their Counsel, than in hearing them by themselves, I shall be for ordering them to be heard by themselves, or Counsel, and consequently I must be against the Amendment proposed.

Soon after this, we had two long Debates, in our Club, upon the Convention, which I shall give you a full Account of; but in order to vary the Subject a little, I shall first give you some of the Speeches that were made in our Club, Feb. 14, last, upon a Sort of annual Question, with regard to the Number of Land Forces that ought to be kept up in this Kingdom for the Year then ensuing.

The first that spoke upon this Question, was L. Valerius Flaccus, whose Speech was in Substance thus.

Mr. President,  
S I R,

AS it is the Business of this Committee, not only to provide for the Army, but to determine the Number of Forces that is to be kept up for the Service of the ensuing Year, I think it my Duty to propose to you the Number, which I think necessary for that Purpose.

It is at present, Sir, so evident, that we are in a precarious Situation with regard to our Affairs abroad; and that there is still, to our Misfortune, subsisting amongst us, a restless and disaffected Faction at home, that I should not think it



necessary to say any Thing in Favour of the Motion I am to make, if great Pains had not of late been taken to persuade People, that there is no Difference between a numerous standing Army, kept up within the Kingdom in Time of Peace, without Consent of Parliament, which can never be kept up in such a Manner, but with a View to destroy our Liberties; and a proper Number of regular Forces kept up, from Year to Year, by Authority of Parliament, for no other Purpose but to preserve the Tranquillity of the Nation, protect us against our foreign or domestick Enemies, and assist the civil Magistrate in the due Execution of the Laws of the Kingdom.

As to the present Circumstances of our Affairs abroad, Sir, particularly with regard to *Spain*, it may be properly said, we are as yet in a State of War. The Number of Land Forces we have kept up, and the powerful Squadrons we have from Time to Time fitted out, have, 'tis true, prevented that Nation from coming to an open Rupture with us; and have, at last, compelled them to agree to a reasonable Convention, for settling all Differences between the two Nations in an amicable Manner; but that Convention can be said to be no more, than a Preliminary towards a future definitive Treaty of Peace; The principal Differences between the two Nations remain, as yet, to be adjusted by a future Treaty, and if we keep ourselves in a proper Posture of Defence, I do not doubt but that they will be adjusted to our Satisfaction; but it was never yet heard, that either of the Parties engaged in War, began to disband their Armies, as soon as the Preliminary Articles for a Treaty of Peace were agreed on. In such a Case, both Parties rather increase than diminish their Forces, in order to convince the other, that

they are ready to continue or to recommence the War, in case the Preliminaries should not, in due Time, be carried into Execution, by an equal and solid Treaty of Peace. Therefore, if we duly consider the present Circumstances of our Affairs abroad, we must resolve to keep up the same Number of Land Forces we had last Year.

Then, as to our Affairs at home, Sir, can any one say that the Number of the Disaffected and Seditious is less than it was last Year? Can any one say that they are more quiet, or less apt to take the first Opportunity for raising civil Wars and Commotions in their native Country? Sir, the many virulent, false and seditious Libels, that are daily published against his Majesty and his Government, are sufficient Testimonies, that the Disaffected are neither less numerous, nor more inclined to remain quiet, and submit to that Government, which protects them in the free Enjoyment of what they possess, or can earn by their Industry, than they were last Year. It is amazing to think, what an infinite Number of infamous Libels are daily, weekly, monthly, and occasionally, printed and dispersed through the whole Kingdom, highly reflecting upon his Majesty, and upon every Man he is pleased to employ in conducting the publick Affairs of the Nation. When we reflect upon it, we cannot but admire the Lenity of his Majesty's Government, and the Patience and good Nature of almost every Man that has any Influence upon his Counsels. With regard to printing and publishing, no Man can say, that the Disaffected and Seditious amongst us, have of late Years kept themselves within the Bounds of Decency; but if it were not for the Number of Land Forces we keep up, we could not expect that they

would keep themselves within the Bounds of Law. They would openly, and in Defiance of the civil Magistrate, transgress, in the most flagrant Manner, the known Laws of the Kingdom; because it would be impossible for any civil Magistrate to put the Laws in Execution against them; the Consequence of which would certainly be Anarchy and Confusion; and this would as certainly end in a Dissolution of our Constitution, and an Establishment of arbitrary Power. Of this we have a recent Example but in the last Century, which ought to be a Warning to us, not to leave our Government destitute of those Means, which are necessary for supporting it against the Disaffected and Seditious, as well as against those who are fond of Changes, and of new-modelling our Constitution. Therefore, whilst there is such a Faction amongst us, we ought to keep up such a Number of Land Forces, from Year to Year, by Authority of Parliament, as may be sufficient for keeping that Faction, if not within the Rules of Decency, at least within the Bounds of Law; and as that Faction cannot be said to be now less numerous, or less turbulent, than they were last Year, we must resolve to keep up the same Number of Land Forces for the Year ensuing.

To this I must add, Sir, that as a Reduction of our Army would increase the Hopes of the Disaffected and Seditious, and consequently make them more apt to raise publick Disturbances, or to join with any foreign Power for that Purpose, it would of Course derogate from the Authority, and diminish the Weight of our Negotiations at foreign Courts, and would make such of them, as had any Disputes with us, more haughty in their Behaviour towards us, and more obstinate in their Demands; for we could ex-

pect no Regard or Esteem from our foreign Enemies, if our Government were in so weak a Condition, as not to be able to keep its domestick in Awe. They would insist upon high Demands, and would make no Compliances, because they would expect that our Government would grant them any Thing, rather than come to an open Rupture; and because they would suppose that, if contrary to their Expectations, we should come to an open Rupture, they would be able to prevent us from doing them any Mischief, by giving our Government enough to do to defend itself against the disaffected Party at home, encouraged by the Weakness of our Government to rebel, and supported by the Supplies, which our foreign Enemies might send from Time to Time to their Assistance.

From hence, Sir, we may see the Disadvantage we would be under, by not keeping up a sufficient Body of regular Troops, with regard to our Enemies, or such foreign States as we may have any Disputes with; and with regard to Allies, we could not expect to have any; for as all Alliances are established upon the mutual Advantage or Security of the two contracting Parties, and can be no longer preserved, than while that Advantage or Security continues mutual, what Advantage or Security could any State in Europe expect from this Nation, if our Government, so far from having any regular Troops, to send to their Assistance, had not a sufficient Number to protect itself against domestick Enemies? In such a Case, 'tis certain, no foreign Nation could expect any Advantage or Security from an Alliance with this Nation, and consequently would neither stipulate to give us any Assistance, nor perform any of the Stipulations they have already made for that Purpose; which would be an additional Encourage-



ment for those that are now our Enemies, or that may hereafter become our Enemies, to insult us in every Part of the World.

Thus, I think, Sir, it is plain, that we must necessarily keep up a sufficient Number of Land Forces, at least for this ensuing Year; and as our Circumstances are now, in every Respect, the same they were last Year, no less Number can be supposed to be sufficient for the ensuing Year, than what was deemed necessary by last Session of Parliament, for the Service of the Year now near expired. Tho' we have made a Step, and I hope it will be a successful one, towards establishing a solid and lasting Peace, yet it must be acknowledged, that our Affairs abroad are as yet in a very uncertain Situation; and as to our Affairs at home, we find the Libels published against the Government as numerous and as virulent, and Mobs and Riots among the People as frequent, as they were about the Beginning of last Session of Parliament, or, indeed, as ever they were in this or any other Nation, where there was a certain Form of Government regularly established.

But, Sir, whatever Number of Land Forces you may think sufficient for the ensuing Year, as long as they are kept up by Authority of Parliament, and from Year to Year only, they must be widely different from a standing Army, kept up without any such Authority. For, as the keeping up of a standing Army in Time of Peace, but for one Day, without the Consent of Parliament, is of itself an Invasion upon our Constitution, such an Army can be kept up for no other Purpose but to destroy our Constitution, in order to secure those who have, by so doing, made an Invasion upon it, a-

gainst that Punishment which is due to them for transgressing the most fundamental Laws of their Country. Whereas a sufficient Number of regular Troops, kept up by Authority of Parliament, and from Year to Year only, can be kept up for no other End, but to preserve our Constitution; because the Parliament will never consent to the keeping up of a greater Number than is sufficient for that Purpose; nor will they consent to the keeping up of any Number longer, than it appears absolutely necessary for preserving the Constitution, and defending us against our foreign and domestick Enemies.

For these Reasons, Sir, I must think the least Number we can propose to keep up for the ensuing Year, for Guards and Garisons in Great Britain, and for Guernsey and Jersey, must be (including 1815 Invalids, and 555 Men, which the six independent Companies consist of for the Service of the Highlands) 17704 Men, Commission and Non-Commission Officers included.

*This Speech brought on a pretty long Debate in our Club; but, as Debates upon this Subject have been often before communicated to the Publick \*, I shall give you no more of the Speeches that were made upon this Occasion, except only the two following, viz. That made by L. Quintius Cincinnatus, which was in Substance thus :*

*Mr. President,  
S I R,*

**I** MUST say, I am not a little surprized at the Motion I have now heard made to you. When the preliminary Convention between this Nation and Spain was laid before us,

\* Our Readers may see these Debates in our MAGAZINE, Vol. I. p. 269, &c. Vol. II. p. 382—385, 442—447, 483—489. Vol. III. p. 339—348. Vol. IV. p. 517, &c. 696, &c. Vol. VI. p. 470, &c. Vol. VII. p. 243, 261—285, 313—335, 583—614, 635—652.

us, I perused it with great Attention, in order to see what Advantages we had got by it, and when I could find no one Advantage we had got, with regard to the Disputes between the two Nations, I concluded that our Ministers had got some private Assurances from *Spain*, that all would be set right in a short Time, by a definitive Treaty of Peace, and that they had in the mean Time agreed to this preliminary Treaty, and a Suspension of Arms, with a View to save ourselves some Expence, by a Reduction of our Land Forces.

*Spain* has, 'tis true, Sir, for many Years, been in a State of War against this Nation, tho' we have never once committed any real Hostility against them. But after the moving Application that was made last Year to Parliament, after the strong Resolutions both Houses then came to, and after the expensive Preparations we made last Summer, I did imagine, that we were, at last, resolved to begin Hostilities in our Turn; and when I heard that a Treaty was on foot, I concluded that *Spain* had been so wise as to apply to us for a Suspension of Hostilities, and for that Purpose, had proposed to make such Concessions, by preliminary Articles, as might serve for the Basis of a solid and honourable Treaty of Peace.

In Treaty-making, Sir, it is usual to leave such Articles as require a long Discussion, to be settled afterwards by Commissaries; but Preliminaries to a Treaty, between two contending Nations, are never concluded, at least, they are seldom formally and solemnly agreed on, except when one of the Parties is afraid of suffering by an open Rupture, or by a Continuance of the War. When this is the Case, the Party in Danger applies for having a Suspension of Arms upon certain Preliminaries, and generally offers

to give some Pledge, as a Security for their Performance of such Preliminaries as shall be agreed on. Most of us remember, that the Treaty of *Utrecht* was preceded by Preliminaries, and a Suspension of Arms between *France* and us; but then, as we were in no Danger, by a Continuance of the War, we would agree to neither, till *France* put *Dunkirk* into our Hands, as a Pledge for her Performance of the Preliminaries. This, I say, was the Method of Treaty-making at the Time of the Treaty of *Utrecht*, and, I believe, for all Ages before that Time; but what has been our Method since that Time, I cannot take upon me to say: So far, however, I may say, that whatever has been our Method of Treaty-making since that Time, and God knows we have made enough of them, we have got nothing by it; for, if we have preserved ourselves in a Sort of Peace, we have made no Advantage of that Peace: Our Taxes are more numerous, and our publick Debt as great, as it was at the End of the War; and, I believe, our Trade is not near in such a flourishing Condition as it was during the War.

Therefore, Sir, I cannot say that I entirely depended upon our having observed the usual Method of Treaty-making; but for the Sake of my Country, I hoped we had; and as I could not suppose that we were in Danger of being Sufferers by an open Rupture with *Spain*, I concluded, that by the preliminary Convention, I heard talk'd of, they had agreed to make some general Concessions with regard to the Disputes between us, and to put some Pledge into our Hands, as a Demonstration of their Sincerity, which, I am sure, we have had great Cause to doubt of, for almost these 20 Years past.

But when I saw this Convention,



How greatly was I disappointed! Instead of their making Concessions to us, we have made, I think, most dangerous, I shall not say dishonourable, Concessions to them, and have got nothing in Return, no not so much as a Suspension of their usual Hostilities. Instead of their giving us a Pledge, we have given one to them, by agreeing that Things shall remain in *Florida* and *Carolina*, in the Situation they are in at present, without increasing the Fortifications there, or taking any new Posts. In short, Sir, by this Convention, *Spain* has not agreed even to suspend Hostilities, yet we have agreed not to provide for our Defence, from whence it would seem, as if we had sued to *Spain* for a Suspension of Arms, upon any Preliminaries they might think fit to prescribe; and yet I cannot think the Nation had any Reason to be afraid of an open Rupture with *Spain*, whatever some Persons amongst us may have; for, from our agreeing to such Preliminaries, I must either think that there are some Persons amongst us that are most terribly afraid of it, and are therefore willing to yield to any Thing, rather than come to an open Rupture with that Nation; or I must think, as I have said, that our Ministers had some private Assurances of the Court of *Spain's* being inclined to do us Justice, in a short Time, by a definitive Treaty, and that they accepted of these Preliminaries, with a View of saving something to the Nation, by a Reduction of our Land Forces for this ensuing Year.

Now, Sir, as I always judge charitably, I supposed that this last was the Case, and therefore when the Hon. Gentleman, who made this Motion, stood up, I expected an elegant Panegyrick upon the Wisdom of our late Measures, and the great Care that was taken to embrace every Opportunity of saving Expence

to the Nation, for no Man is more capable than he; and I expected that he would have concluded with a Motion for no more than 12,000 Men for the ensuing Year, as an Earnest of the Benefits we are to reap by this new Convention, and as a Proof of the Assurances the Hon. Gentleman's Friends have of the just and good Inclinations his Catholick Majesty has towards this Nation. This, I say, was what I expected; but how much was I surprized, when I heard him begin to argue for the same Number of Land Forces that were voted last Year, at a Time when every Man, at least every Man that was not in the Secret, imagined we were upon the Brink of a furious War!

If we have no Dependence upon this Treaty, Sir, why was it made? For 'tis impossible, since the Time it was ratified, we could have had Cause to alter our Sentiments. If we have a Dependence upon it, why not make the proper Advantage of it, by lessening the publick Expence? Every one knows that our Land Forces have no Influence upon the Counsels of *Spain*: It is our Naval Force they are afraid of: That we have already reduced; and, therefore, if it be said that *Spain* must be frightened into a Performance, as well as they were frightened into the Treaty, we have begun at the wrong End. But I cannot have such an Opinion of such a wise Administration: From the Reduction of our Naval Force I must conclude, that they are assured of *Spain's* being inclined to do us Justice by the definitive, tho' they have done us none by the preliminary Treaty; and, therefore, the Circumstances of our Affairs abroad, can be no Argument for our keeping up the same Number of Land Forces we had last Year; nor can it be said, our foreign Affairs are in the same Situation they were the Beginning

ning of last Session of Parliament: We had then no preliminary Treaty, nor any Assurances of a satisfactory definitive Treaty: Now we have both, or otherwise the Hon. Gentleman's Friends have transgressed the Rule he himself has laid down; for they have already begun to disband their Armies, and those Armies too which are the only effectual Armies against *Spain*, I mean our Squadrons of Men of War. Let us then follow their Example: The Hon. Gentleman will, I hope, admit we cannot follow a better: Let us begin to reduce our Land Forces.

But suppose, Sir, we were still in a precarious Situation with regard to our Affairs abroad, can it be thought, that our Influence at foreign Courts depends upon the Number of Land Forces we keep in continual Pay? No, Sir, our Influence depends upon the Riches and Numbers of our People, and not upon the Number of our regular Regiments, or the Appearance they make at a Review. We have many Thousands that would make as good an Appearance in the Day of Battle, if their Country were in Danger, tho' they are not at present Masters of all the Punctilios proper only for a Review. We have a Navy, which no Nation in the World can equal, far less overcome, by which we may carry the Dread of this Nation into every Country that is visited by the Ocean: And we have Money, notwithstanding the bad Use we have made of a long Peace, to hire as many foreign Troops as we can have Occasion for, and to support them as long as we can have any Service for them. Therefore, while we are unanimous amongst ourselves, while our Government possesses the Hearts and Affections of the People in general, which every virtuous and wise Government must necessarily do, this Nation must always have great In-

fluence upon the Counsels of every Court in *Europe*, nay of every Court in the World, where it is necessary for us to extend our Influence.

From hence we may see, Sir, that in this Nation, we can never have Occasion for keeping up a great Number, or any Number, of regular Troops, in order to give Weight to our Negotiations; and, if any Power in *Europe* should refuse to observe or perform the Treaties they have made with us, we ought not to seek for Redress by Negotiation: We may make a Demand, but it is beneath the Dignity of a powerful People to sue for Justice. Upon the first Refusal, or affected Delay, we ought to compel them, not by keeping an Army at home, which would be ridiculous, but by sending an irresistible Fleet, with an Army on board, to ravage their Coasts; or by getting some of their Neighbours, with our Assistance, to attack them; both which will always be in the Power of every Government of this Country, that preserves their Influence abroad, by preserving the Affections of the People at home; and that, without keeping any Number of regular Troops always in Pay; for whilst the Spirit of Liberty, which is the nursing Mother of Courage, is preserved amongst our People, we shall never want a great Number of brave Men, of all Degrees, amongst us, that will be ready to venture their Lives in the Cause of their Country; and such Men may, in a few Weeks, be sufficiently disciplined for Action, tho' they might not, perhaps, observe all the Punctilios so exactly as a Parcel of idle mercenary Fellows, who have had nothing perhaps to do for seven Years together, but to dance thro' their Exercises.

The keeping up of a standing Army, in this Nation, can never therefore be necessary, either for



preserving our Influence amongst our Neighbours, or for punishing such of them as shall offend us; and, with respect to our own Defence, as we have no Frontier but the Ocean, while we preserve a Superiority at Sea, a popular Government in this Country can never be under the least Necessity of keeping up any Land Forces, especially if they would take Care to have our Militia but tolerably armed and disciplined; for no Nation will be mad enough to invade us, while we are united among ourselves, with a Handful of Troops, who must either all die by the Sword, or be made Prisoners of War, because we could, by Means of our Navy, prevent their being able to return. And, if any of our foreign Neighbours should prepare to invade us with a great Fleet and a numerous Army, we would not only have Time to prepare for their Reception, but we might lock them up in their Ports, by Means of our Navy, or we might give them enough to do at home, by stirring up some of their Neighbours upon the Continent to invade them.

Thus, it appears, Sir, that no Government in this Island can ever have Occasion for keeping up a standing Army in Time of Peace, unless it be to subdue the Liberties of the People. This, every Man in the Kingdom, whose Judgment is not biased by his Hopes or his Fears, must be sensible of; and therefore, every Government that does keep up a standing Army in Time of Peace, whether with or without the Consent of Parliament, must forfeit the Affections of the People. Then, indeed, a standing Army becomes necessary for the Support of that Government, not against Foreigners, but against their native Country; but no Army, even the greatest they can keep up, will give them an Influence at foreign

Courts, or an Authority among their own People. Abroad they will be despised, at home they may be dreaded, but they will be hated; and, in that Case, a small Handful of foreign Troops, thrown into any Corner of the Island, might be of the most dangerous Consequence to the Government, because they would be joined by the whole People, and perhaps, by a great Part of the Army.

To pretend, Sir, that there is still a great disaffected Party amongst us, is, I am sure, no Compliment to his Majesty, or to his illustrious Family; and therefore I wonder to hear any Gentleman, that has the Honour to serve the Crown, insist upon it. There are, 'tis true, many discontented, but few or none disaffected; and the Discontents that are so general amongst us, proceed from our having so long kept up a numerous standing Army, and from some other Measures I could mention. Change but your Measures, reduce your Army, put a Confidence in the People, and the Discontents will soon vanish, your People will put a Confidence in you, and will be a better Safe-guard for the Government, than any Army that can be kept up. Your foreign Enemies will then fear you, and your Friends will respect you; because the former will be afraid of that Vengeance, which they know you are able to pour down upon them, and the latter will depend upon that Assistance, which they know you are capable to give. If any of our Allies should want Land Forces for their Assistance, we can hire as many foreign Troops for their Service as they may stand in Need of: If we could not hire such Troops, we could soon raise a Body of Troops within our own Dominions, tho' we had not a regular standing Regiment in the Kingdom; and we could transport them by our

O o o

Fleet,

Fleet, wherever our Allies might stand most in Need of them. By our Alliances, I know, we sometimes engage to send a Body of Troops to the Assistance of our Allies; but I do not remember, we ever engaged, that those Troops should be all Subjects of *Great Britain*, or that they should be such as we had kept in Pay for several Years preceding. Therefore we may perform our Engagements to our Allies, and may afford them a proper Support and Assistance, without keeping a standing Army always in Pay.

I shall grant, Sir, that the keeping up of a numerous standing Army in Time of Peace, by Authority of Parliament, is not contrary to Law; but I will aver, that it is contrary to, and inconsistent with our Constitution. If some future venal Parliament should pass a Law for enabling the King to impose Taxes, and raise Money by Proclamation, the Money so raised would not be raised contrary to Law, but surely it would be contrary to our Constitution. To tell us, that the Parliament will never consent to the keeping up of a greater Number of Land Forces, than is sufficient for preserving the Constitution, or that they will never consent to keep up any Number, longer than it appears necessary for defending us against foreign or domestick Enemies, is to tell us what no Man can answer for. Suppose there should be a Majority in each House of Parliament, consisting of Officers of the Army, and other Instruments of an Administration; can we suppose that such a Parliament would have any Regard to the Preservation of the Constitution, if it should appear to be inconsistent with the Preservation of the Minister upon whom they depended? And suppose we had the Misfortune to have, at that Time, a Prime Minister, contemned abroad,

and hated by every Man at home, except those who were his immediate Tools; can we suppose that such a Parliament would not give their Consent to keep up a standing Army, not for preserving the Constitution, but for preserving the Minister, by destroying the Constitution?

Sir, a numerous standing Army, kept up by Authority of Parliament, is more dangerous to our Liberties, than such an Army kept up without any such Authority; because in the latter Case, the People would immediately see their Liberties were struck at, and would therefore take the Alarm; but in the former, they would probably, by the Interposition of Parliament, be lulled asleep, till their Fetters were riveted. This I have long endeavoured to prevent: This, while I live, I shall always endeavour to prevent; and therefore I am now for reducing the Army to 12000 Men; for even that Number, I think greater than is altogether consistent with the Safety of our Constitution. The very Resolution this House comes to yearly, with respect to the Number of our Land Forces, shews that it is. By the Words of that Resolution, we ought to have no marching Regiments quarter'd up and down the Country, to the Oppression of our Innholders, Victuallers, and other publick Houses, and to the debauching of the Morals of all Ranks of People. We ought to have none but Guards and Garisons. Our Guards ought never to consist of above 4000 Men; and I should be glad to know where the Garisons are in *Great Britain*, or in *Guernsey* or *Jersey*, that require no less a Number than 8000. Therefore we ought to alter the Words of our Resolution, or we ought to reduce our Army even below 12000. However, as other Gentlemen seem willing to allow



12000 for the Service of this ensuing Year, I shall not be against that Number.

*The other Speech, and the last I shall give you upon this Subject, was made by Mæcenas, who spoke to A this Effect, viz.*

Mr. President,  
S I R,

I Am really surprized at the Silence on one Side of the House.

—Sure this Question is of Importance enough to deserve a Debate.

—How great an Evil soever a standing Army may be, this Way of treating such a Question is worse; it is the highest Contempt of the Constitution imaginable.—Sir, if we go on thus, will People be silent out of Doors too? I wish they may; for if they talk of our Proceedings, they will talk in a Language that won't be much for the Honour of the House.

Sir, as a good deal has been said about the Abuse of the Prefs, by one of the very few Gentlemen who have deigned to speak in this Debate, I beg to be indulged in a few Words upon that Article.—A free Examination of all Measures of Government, and of the Characters of Ministers, so far as their Characters are inseparable from their Measures, is the Life of a free State. It is what no good Minister will ever call an Abuse of the Prefs: It is what no good Minister would desire to restrain. But attacking the private Character of a Minister, or Magistrate, his private Defects or Frailties, in which the Publick is not concerned, this, indeed, is libellous, and this cannot be justified: Nor can Abuse thrown out upon private Persons, be excused in those who are the dirty Tools of Calumny, or in the more dirty Patrons, who employ and pay such Tools: This, Sir, is infamous, and this should be restrained. But how

restrained? By Contempt, by Disregard of it, by a fair and safe Appeal to the candid Sense of Mankind; or in very flagrant Cases, by the due Course of Justice and Law: Not by Strains of Authority, not by Star-chamber Work, not by the extraordinary Exercise of discretionary Powers, from which the Guilty and the Innocent may suffer alike: This should be carefully avoided in a Country of Freedom, not for the Sake of these Writers, but for the Sake of the Constitution, for the Sake of Liberty, and that the Law of the Land may be the Rule and Measure of all Mens Security. But for God's Sake, Sir, how comes the Abuse of the Prefs to be a Point insisted on in the Debate of to Day? What has that to do with eighteen thousand Men? Are our Dragoons to be Licensers of the Prefs? I hope they are not.

As to the uncertain Situation of Affairs abroad, (that, I think, was the Term used by the Hon. Gentleman over the Way) I will say but one Word.—Why have we called home our Fleets? To deprive ourselves of the only Means we have of hurting our Enemies, by recalling our Fleets upon the Presumption of a Peace, and then to deprive ourselves of the Fruits of a Peace, by keeping up our Army to the Number of last Year, is, I confess, a Policy which I don't comprehend. Is this Convention, which we have concluded, something or nothing? Sir, I think it worse than nothing; but, as there are some Gentlemen who speak very highly of it, if it deserves their Encomiums, I should be glad to know, for what this Number is ask'd? Why, to support the Peace, it seems.—To support it, Sir, against whom? Not against ourselves I hope, not against the Nation. If the Peace be what it ought to be, we shall have no Enemies, and it will support itself; if

it be bad and dishonourable, to have it supported by an Army, is a sad Resource indeed: It is such a Support as Despair only could want: It is such a Support as I won't imagine possible.

But Gentleman say, it will give A Weight to our Measures abroad. —What Weight has it given? I appeal to Experience. Is not the Period of our keeping up this Number of Men, the most inglorious Period of the *English* History? Has not every Year been mark'd out by some new Indignity, some new Dishonour, some new Proof of Contempt? Have we been arm'd of late to any other Purpose, than to make our Tameness appear more ridiculous? For my own Part, Sir, I must say, that were I determined to suffer myself to be *robb'd without any Resistance*, I should think it was judging very ill, to travel with Arms.

Sir, with regard to Disorders at home, neither what has been said by the Hon. Gentleman who spoke D just now, nor by another Gentleman in my Eye, who enlarged much upon them, has any Weight in a Question, whether 18,000 Men or 12, should be the Number kept up. For, surely, 12 thousand Men are Force enough to quell these Rioters. But from what all those Gentlemen have said, I draw a further Conclusion, that for Disorders of this Kind, an Army is not, cannot be the proper Remedy, since the Evil encreases under it, as Experience proves. —The proper Remedy is giving Authority to the Law; and this can only be done by right Measures of Government. An Army may give Strength to a bad Administration, but a good Administration only can give Strength to Laws, and to that we must have G Recourse, or these Disorders will continue, tho' we should augment our Troops to 50,000 Men. Confirm his Majesty in the Affections of

his Subjects, and he will want no Security in his own Dominions. Sir, I have seen a Proof of this. —I have lately had the Satisfaction to see all Sort of Respect from all Sorts of People, paid to two of the Royal Family, when they had no Guards. They could not have been safer, they could not have been respected so much, if they had been attended, in the Journey they made, with all the household Troops of the King of France. Sir, I saw the B People clinging to the Wheels of their Coach, out of Affection to them, to the King, and to his Family. I say, I saw them clinging to the Wheels of their Coach. —Had there been Guards about it, they must have kept further off.

C As I can see no good Use that can be made of these Troops, and as I won't suppose that any bad one is intended, I must conclude they are kept up for Ostentation alone. But is it for his Majesty's Honour to put the Lustre of his Crown, to put his Dignity upon that, in which he may be rival'd by every petty Prince of any little State in Germany? For, I believe, there are few of them now, that can't produce at a Review, an Army equal to ours, both in Number and Show. E If the Greatness of a State is to be measur'd by the Number of its Troops, the Elector of Hanover is as great as the King of England. —But a very different Estimation ought to be made of our Greatness: The Strength of England is its F Wealth and its Trade: Take care of them, you will be always formidable: Lose them, you are nothing, you are the last of Mankind. Were there no other Reasons for reducing the Army, it should be done upon the Principle of Economy alone. G It is a melancholy Thought to reflect how much we have spent, and to how little Purpose, for these 16 Years past.

Sir,



Sir, could it be said, We are indeed, loaded with Debt, but for that Charge we have encreased our Reputation, our Commerce flourishes, our Navigation is safe, our Flag is respected, our Name honour'd abroad; could this be said, there is a Spirit in the People of *England*, would make them chearfully bear the heaviest Burdens.—On the other Side, could an opposite Language be held, could it be said, We have, indeed, no Victories, no Glory to boast of, no *Eclat*, no Dignity; we have submitted to Injuries, we have born Affronts, we have been forced to curb the Spirit of the Nation, but by acting thus, we have restored our Affairs, we have paid our Debts, we have taken off our Taxes, we have put it into the Power of the King and Parliament, to act hereafter with more Vigour and Weight; could this be said, this also might be satisfactory.—But to have fail'd in both these Points at the same Time; by a Conduct equally *inglorious* and *expensive*, to have lost the Advantages both of *War* and *Peace*; to have brought Disgrace and Shame upon the present Times, and national Beggary upon Ages to come, the Consequence of which may be national Slavery; such a Management, if such a Management can be supposed, must call down national Vengeance upon the guilty Authors of it, whosoever they be, and the longer it has been suspended, *the more heavy it will fall*.

Sir, I beg Pardon for having troubled you so long now upon a Question, on which I have so often given you my poor Thoughts before: The Multiplicity of Matter carried me further than I designed, and I have a thousand Thanks to return you for the Indulgence you have shewn.

[This JOURNAL to be continued in our next.]

His Catholick Majesty's MANIFESTO, justifying his Conduct in relation to the late CONVENTION; with his REASONS, for not paying the Ninety-five thousand Pounds.

The KING.

OUR Desire not to disturb the Tranquillity of *Europe*, and to maintain Peace to our Subjects, has for some Time past, in a great measure, made a Violence on the Nicety of our Honour, and the Advantages of our Interests.

*England*, troubled with domestick Divisions, has carried on her Complaints with such Obstinacy, even perhaps contrary to the Knowledge of the Unreasonableness thereof, that if our sincere Disposition had not found a greater Weight in the former Considerations than in her Instances, such Disputes would have come before now to a fatal Rupture, not without powerful Motives on our Behalf. The Truth of this is evident from the Answers given to her Officers, and our Condescensions to her Proposals; such was the admitting of the Regulation made at *London* of the respective Demands, without taking notice of the exorbitant Valuation of her Prizes, nor of the Undervaluing of ours, only to obtain Peace at the moderate rate of dissembling this Advantage in Favour of that Crown: The remaining Part of the Negotiation was, on our Side, conformable to so noble a Sincerity. The Ministry at *London* reckoned on our Claims upon the *Affiento* Company for the Payment which we were to make, and tho', when the Company refused to pay the same, we might have made Use of this Failure, in order to alter other Agreements, the same Ministry knows that we sent Orders to Don *Thomas Geraldino*, our Minister Plenipotentiary at that Court, to take up at Interest the 95,000*l.* that what had been promised should not remain uncomplied with.

Immediately after the Convention was signed at the *Pardo*, and that it was ratified at *London*, We, prompted by our good Faith, ordered our Squadrons to be disarmed, sent the stipulated Directions to *Florida*, and discharged all that was then incumbent on us. Much contrary to this way of Proceeding did *England* act; for having undoubtedly repented the calling home from the Mediterranean Admiral *Haddock's* Squadron, she ordered it to be stationed at *Gibraltar*; a more proper Place for effecting the Design, that in all Appearance was even then in Agitation, and has since been discovered; and at the same time no Orders were dispatched to *Carolina*. The *British* King did back the unjust Transactions of the Company, deeming their Concerns as an Engagement of the Crown, whereas before the Convention they were looked upon as a Contract with a private Person.

These Appearances of not proceeding with

Una-

Unanimity in their Intentions, obliged us to cause our first Secretary of State, and of the Dispatches, the Marquis de Villarias, in the beginning of April last, to declare to Mr. Benjamin Keene, Minister Plenipotentiary of the King of Great Britain at our Court, how much the Stay of Admiral Haddock's Squadron at Gibraltar would hinder the total Effect of the Convention, notwithstanding any Securities that might be offered; and finding that such Insinuations were not sufficient to check the Danger that was threatening, we resolved that in the first formal Conference, which our Plenipotentiaries should have with those of England, they should repeat more at large the same Declaration: That the Fault of making ineffectual what had been stipulated should never be imputed to us. The Effects of this becoming Conduct have not been such as ought to be expected, but have rather been conformable to the Conduct observed by England, as is already mentioned in Substance: That is, to have given Orders to Admiral Haddock to cruise with his Squadron between Cape St. Vincent, and Cape St. Mary's, in order to wait for, and surprize the *Affogues* Ships: To publish Reprisals in an unbecoming Stile at London, (see p. 359.) and to proceed to their Execution in several Parts, as it appears to us authentically, by divers Depositions of those who have experienced them. Our Forbearance being thus provoked, and it becoming now a Disgrace to our Power and Sovereignty, to continue any longer in the Inaction hitherto observed, we have determined, that there be likewise Reprisals made in our Dominions, and by our Subjects, wherever they meet with them, of the Ships, Goods, and Effects of the King and Subjects of Great Britain, observing such Rules as shall be directed in the circular Orders, which shall be issued for that Purpose. And to the End that this Resolution, and the powerful Motives that have moved us thereunto, may come to every Body's Knowledge, we have thought proper to make it publick in the foregoing Manner. Given at St. Ildefonso, the 20th Day of August, 1739.

*I the KING.*

And lower,

*Don Sebastian de la Quadra.*

*The King of Spain's REASONS, by which he justifies his not paying the 95,000*l.* stipulated in the Convention, signed at the Pardo, the 14th of January, 1739.*

**I**T is to be previously observed, That the Convention is a Contract whereof the Engagements are reciprocal; that consequently, when either of the Parties fails in the Execution of them, the other is thereby disengaged; and that the first that fails gives just Reason to the other to refuse to execute his Part. From whence it follows evidently, that Great Bri-

tain having been the first that failed, and having contravened most of the Articles which were expressly stipulated in the said Convention, and those on which the signing thereof was founded, has given Reason to Spain not to execute her Part.

**A** The first Contravention of Great Britain regards the very Beginning of the Convention, where it is mentioned, That the two Kings having nothing more at Heart than to encrease and strengthen the good Understanding that has so happily subsisted between them, have agreed to labour by their Ministers with the utmost Application and Diligence to attain that desirable End. In Consequence of this reciprocal Disposition, the Court of Great Britain sent Orders to the *English* Squadron to quit the Mediterranean, and Spain disarmed her Fleet: But being informed that the Orders from London were countermanded, it was supposed that a Solicitation from the Party opposite to the Minister, who were greatly dissatisfied with the Convention, had prevailed with the Court to swerve from the Orders it had given. Nothing can be more destructive of, or contrary to a firm Establishment of Friendship and good Correspondence, than Diffidence and Distrust, the keeping a Squadron not only at Port-Mahon where it was at first, but also at Gibraltar in the Center of the Coasts of Spain; where it has been considerably reinforced, and can be designed for no other Purpose, but to interrupt and molest Trade, and can be looked upon in no other Light than a continual Hostility.

**E** The second Contravention arises from the second Article, which says, That immediately after the Ratification of the Convention, Orders shall be dispatched to Florida and Carolina, that the new Plantations and Fortresses of Carolina and Georgia, shall remain *in statu quo*, till the Plenipotentiaries shall have regulated the Limits. The King of Spain performed his Part of the Engagement fully, but the King of Great Britain deferred for four Months executing his Part, with an Intent to give to his Subjects all that Time to encrease their Colonies, and build their Fortifications; nor even at this Hour is there any positive Proof that any Orders at all have been sent; it appears by a Letter of the Duke of Newcastle, that there were none sent the 27th of March.

**G** What is still more remarkable with regard to this Contravention, is, that at that Time three Men of War were sent under frivolous Pretences to reinforce the Squadron at Jamaica, and that some Troops, and a great Quantity of warlike Stores were sent thither on board several Ships. This Contravention is not unlike that of Florida in 1735, when it was agreed, that all Things should remain *in statu quo*, till the Limits were regulated by the two Governors; the *English* Governor nevertheless went on in extending his Plantations, and committed



ted several Hostilities against the Spaniards, and his Catholick Majesty's Indian Vassals. Not is this Contravention much unlike that of 1724, they both being Contraventions of publick Treaties made with Spain.

The 3d Contravention consists in this, That it being agreed as the only Means to surmount the long debated Disputes, in order that the Convention may be signed, his Catholick Majesty doth formally declare, That he reserves to himself entire, the Right to be able to suspend the *Affiento* of Negroes, and to dispatch the Orders necessary for the Execution thereof, in case the Company does not submit to pay, within a short Time, 68,000*l. Sterling*, which it has confessed to owe on Duty on Slaves, according to the Regulation of 52 Pence per Dollar, and for the Profits of the Ship the *Royal Caroline*: And he doth likewise declare, that under the Validity and Strength of this Protest, the signing the Convention above-mentioned shall be proceeded upon, and not otherwise. (See p. 86 B.)

Nothing can be plainer or stronger than this Declaration; and yet, when the Conferences came be opened, so little Regard was paid to it, that the *English* Plenipotentiaries debated to present a Memorial to demand the Effects taken in the *Indies* from the *Affiento* Company, by way of Reprisals, in 1718 and 1727; and protested, that until that Account was settled and satisfied, there would be no Payment of the 68,000*l. Sterling*, which was the Balance of a settled Account: Contrary to all Justice, they would confound a liquidated Sum, and put it on an equal foot with a Sum not at all settled or liquidated. His Majesty offered two Schedules for the Viceroy's of *Peru* and *Mexico*, with an Order to pay, without any Delay, to the *Affiento* Company, what they should prove due to them on Account of the said Reprisals; it was as much as he could grant: But the 68,000*l. Sterling* was a settled, stated, executive Debt, payable within a short Time; it was the Basis and Foundation of the Convention, a Condition not to be eluded, under the Validity of which the Signing was proceeded on, and not otherwise, as is expressly set forth in the Declaration, which was concerted with Mr. Keene, and notified four Days before the Convention. Whence it results, that the *English*, by eluding the said Condition, have broke and vacated the Substance and Validity of the said Convention.

This Pretence of the *English* carries along with it another Contravention; for, by the second separate Article, this Affair was to be debated only in separate Negotiations, and not in the Conferences.

The fourth Contravention is a Sequel of the former. The *English* Plenipotentiaries desired to have it declared, that the King had not a Power to suspend the *Affiento* Contract, as being a national Treaty; whereas the contrary

was expressly specified in the abovementioned Declaration, on the Validity of which depended the Validity of the Convention. Every body must see, that the *English* Ministry, instead of obliging the Company to pay the King the 68,000*l.* are seeking to elude the Payment of it, in Defiance of the Convention, and of the Declaration; and would oblige the King to pay himself out of other Funds, which would be tripping up the Heels of the Convention, and sapping the Foundation of it.

The fifth Contravention is making a direct Application to the King, for the Restitution of an *English* Ship that was taken since the Convention was signed, contrary to the second separate Article, that refers all Matters that shall happen subsequent to the signing of the Convention, to the Decision of the Plenipotentiaries in the Conferences.

The sixth is, that the Plenipotentiaries shall be furnish'd with Instructions within six Months; and it was eight Months before *England* had sent any.

It will not be improper here to take notice of the *English* Ministry's little Faith in his Catholick Majesty, though his Majesty has given a beautiful Example of Confidence in the IVth. Article of the Convention. An Estimation having been made of six or seven Ships, the Value whereof is comprized in the 95,000*l. Sterling*; it is in that Article agreed, that as his Majesty had sent Orders to the *Indies* to make Satisfaction for those Ships, if it should happen that, in consequence of his Orders, a Part, or the whole Value of the said Ships, should be paid, the Sums so paid should be deducted out of the 95,000*l.* The last Sum was to be paid in four Months, without making any Terms about the Money paid in the *Indies*, pursuant to the aforesaid Order, his Catholick Majesty trusting entirely to the Honour and Justice of the King of *Great Britain*.

The seventh Contravention is, That the *English* Plenipotentiaries insisted on a Liberty of free Navigation in all the *American* Seas, claiming a Right to it by the Laws of Nations, by Treaties, and particularly by the 15th Article of the Treaty of 1670. This is a direct Infraction of the first Article of the Convention, wherein it is expressly stipulated, That the respective Pretensions of the two Crowns, with regard to Trade and Navigation in *America*, and *Europe*, shall be regulated and settled in the Conferences, according to the Treaties there specified and referred to. What is exacted here as a manifest incontestable Right, is a Pretension and Claim in virtue of Treaties, and there could not be a better Method of settling those Pretensions, than to examine all those Treaties thoroughly, and compare them together, so as to come at the true and honest Sense and Meaning of them, without any Regard to the partial Meanings or Constructions of either of the Parties. This was the Answer that

that the Catholick King gave to the *English* Plenipotentiaries Memorials of the 19th of *February*, nor could he have given any other, all Points relating to Trade and Navigation being submitted by the Convention to the Determination of the Plenipotentiaries. The *British* Minister insisted still on a free Navigation, and that it should not meet with any Interruption from the *Spanish* Guard de Costas. The King answered, *That there should be no Interruption contrary to Treaties.* Thereupon the Minister in harsh Terms, and in Defiance of the Convention, insisted, That without waiting to examine Treaties, a full Freedom of Navigation in all the *American* Seas should be forthwith agreed to. *England* has no Right of free Navigation, but to and from its own Colonies, in the same Manner as is stipulated with the States General, who never pretended to, or desired more. This being a critical Point, it is proper to explain it distinctly and clearly.

It is declared by the eighth Article of the Treaty of *Utrecht* in 1713, That the Navigation of the *English* in *America*, shall continue on the same Foot that it was in the Reign of *Charles II.* It is beyond all Dispute, that during that Reign all Strangers were excluded by the fundamental Laws of the Kingdom, from trading with or entering into the *Spanish West Indies*; and that the sole Liberty and Freedom thereof was reserved to the *Spaniards*. By the same Article *Q. Anne* obliged herself not only to observe, but likewise to guarantee those fundamental Laws; and of consequence could not pretend to any further or other Right of free Navigation, but to and from her own Colonies. It was all that those Laws did admit of, and all that was practised in the Reign of *Charles II.* The Queen also obliged herself to pay a due Regard to, and guarantee the Limits in those Times; and, where any Incroachments had been made upon them, to restore and settle them upon the former antient Footing. But this Part was not then complied with, which gives Room for the present Disputes about new Colonies, the Removal of Frontiers, and Usurpation of Territories and whole Islands.

What has been now said, is sufficiently supported and proved by the Stipulation with the *States-General* in the 31st Article of the Treaty of *Utrecht* in 1714. His Catholick Majesty obliges himself to re-establish and maintain the Navigation and Trade of these same *Spanish West-Indies* agreeable to the fundamental Laws of *Spain*, which prohibit all foreign Nations from trading with, or entering into them; that Privilege and Benefit being reserved solely for the *Spanish* Subjects of his Catholick Majesty; and their High Mightinesses promise to give his Majesty their Assistance to fulfil this Article. In former Treaties with them, all that was stipulated was a free Navigation to their Colonies, and not to all the other Seas that are

within his Catholick Majesty's Jurisdiction and Dominion, which are distinguish'd by the Character of the *Spanish Indies*, whereunto all Entrance and Trade are prohibited for very good Reasons: For as it is prohibited, as aforesaid, to trade with, or enter into the Ports and Harbours of the *Spanish Indies*, and foreign Nations having no Colonies that require passing near those Seas, the claiming a Right of free Navigation to or near them can be with no other View, nor for any other Purpose, than to encrease the illicit unwarrantable Trade, which the *English* have for a long Time, and do still carry on; a Trade that is already grown to too unreasonable an Extent, it yielding yearly several Millions, as they themselves confess; a Trade that is contrary to all Laws of Justice and Equity, prejudicial to the Trade allow'd to and enjoy'd by other Nations, and greatly hurtful and injurious to his Catholick Majesty's Revenues and Government.

There is all the Reason in the World to be surprized at this Demand, since the *English* imagine, and pretend they may even in the Midst of *Europe* assume to themselves the supreme Dominion on the Ocean, tho' it be common to all Sovereigns, whose Dominions it washes; and laying a Stress on the Name they give it of *Britannick* Sea, would not only exact, that the Ships of all Nation should strike their Colours before theirs, but they have also endeavoured to attribute to themselves the Right of giving Leave to fish in them, and to make other Powers pay for that Liberty! How can those who form such groundless Pretensions in the Seas of *Europe*, which belong no more to them than to other Nations, exclaim against the *Spaniards*, when they do nothing in *America*, but refuse to abandon the Seas they possess all the Coasts of, to an arbitrary Navigation, and take just Precautions against Smuggling, and the unlawful Trade carried on in the *Spanish* Dominion, which are the only Design or Object of that Navigation?

What has been said above is also proved by the 15th Article of the Treaty of 1670, which is alledged; for in the Beginning thereof it is said, *That each of the contracting Parties shall have and retain the Lordship of the Seas, of the Navigation, and fresh Waters in America, which belonged to them:* Then all the Seas are not free, and there are some of the Lordships, in which the Sovereigns ought to enjoy it privately or exclusively of all others, and consequently we must not understand these Words, *free Navigation*, otherwise than they are limited at the End of the said Article, viz. *When nothing shall have been committed against the natural Sense and Disposition of the preceding Articles.* And as it is regulated by the eighth Article, that the Subjects of either of the two contracting Kings



shall not navigate nor trade in the Dominions possessed by the other Party in the said western Islands; it follows, that the said free Navigation is limited to the Dominions which belong to one or other of the two Kings, and that the Treaty excludes all Navigation and Trade in the Dominions and in the Seas of the one to the other.

This is the literal, natural, and true Sense of these Treaties, and what is therein understood by the Words *free Navigation*. Every Time that *England* will get them examined by its Ministers with those of *Spain*, as it was agreed they should by the Convention, it will find it has no just Motive to complain, and that it has none to grant Letters of Reprieves, which ought to be grounded on a Refusal of Justice. And since it is *England* who has infringed all the Articles of the Convention, and has herself set an Example of it to the King of *Spain*, who, as has been seen, signed it only under the express Condition, that Regard should be had to his Declaration, and the Protestation therein inserted; the Denial of Justice cannot be imputed to *Spain*, but it may to *England*, who by its posterior Contraventions above-mentioned, has evaded and annulled the Convention, from which, notwithstanding the Contraventions above expressed, none of the two Parties can desist, because, as it was formed by a common Consent, there must be a joint Consent to dissolve it. (See the Articles of the Convention, p. 83.)

*England* has had as few Motives to order its Plenipotentiaries to break off the Conferences, as they did by their Memorial of the ninth of July; it has had no Motives to make those great Armaments, nor to press her Neighbours to arm in her Behalf, nor to solicit them to be ready at all Events, because the Neighbours of the latter would, by seeing them make unseasonable Preparations, and without any Necessity, regulate themselves by that Example, and would on their Part put themselves on their Guard, and the publick Tranquillity would infallibly suffer by it. In this Case the bad Consequences thereof must then be imputed to those who persuade, and those who suffer themselves to be persuaded. The only Aim of *England* is to maintain and preserve by her Arms, and by those of her Neighbours, the unjust Usurpations of the Islands and Territories she has invaded, in breach of the Treaty of *Utrecht*, and to maintain herself in the clandestine Trade it practises, to the Prejudice of the lawful Trade of the Allies of *Spain*: Whereas that Crown seeks no other Thing than to defend its Honour against the Calumnies whereby she is attacked; and only to maintain the Interest of her Dominions, and those of her Allies, by scrupulously observing the Treaties, offending or insulting no Nation, and seeing but with Concern, the Breach *England* gives to the

Peace, and consequently to the publick Repose.

*Universal Spectator*, Sept. 1 and 8.

CHARON and MERCURY: Or, The ELYSIAN FERRYMAN. A Dialogue after the Manner of Lucian, in which several others speak.

Mercury. **H**OLLA!—Charon—Charon, Holla! —What are you quite tir'd with ferrying over your *Turks* and *Germans*, that you make so little Haste to return?—Prithee sit down to your Oars and pull lustily; Don't you see I have brought you another Freight?

Charon. What are you in such a Hurry for? I see well enough what Sort of a Freight you have brought me; a poor motley Herd of common *British* Ghosts. But where the Devil are those Shoals of *Spaniards* which you have so long kept me in Expectation of, for the *Englishmen* on the other Side *Styx* worry my Heart out to know when they are to arrive.

Mer. Faith, *Charon*, I will no longer deceive you; their Arrival depends on the Politics of a certain Island, which are at present so strange and fluctuating, that I cannot venture to say they will arrive at all. But, good Mr. *Ferryman*, trouble not your Head about Politics, but take in your Cargo and away.

Charon to the Ghosts. Heyday! whither are you all pressing to?—Stand off—stand off—not one of you shall enter, but civilly, and according to antient Usages and Customs.—What a Load of *Worldly Affairs* have you all got about ye?—But, my good Ghosts, you must leave them all behind; my Boat is in too tatter'd a Condition for such a Cargo.

Mer. Be not out o'Humour, *Charon*; put your Boat back again, and not one shall enter but according to the antient Laws of the Ferry.

Lawyer's Ghost. Laws of the Ferry? What d'ye mean, Sir? There are no Laws of any Ferry, but to pay the stated Rate and Fare: D'ye think I don't know the Acts of Parliament and Statutes in that Case enacted and provided?

Mer. No, good Counsellor *Puzzlet*, you blunder as much here as you us'd to do in *Westminster-Hall*: By a Statute we have you must pull off that Gown, and appear in *puris naturalibus*.

L's Ghost. What, wou'd you strip me?

Ch. Ay, ay, of that, and every other Impertinence you have about you—Bless me!—what a monstrous Collection of Absurdities were conceal'd beneath that same Gown and full-bottom'd Wig!

Mer. Come, Sir, away with your Tricks and your Quirks; your Motions, Pleas, Replications, Rejoinders and Surrejoinders; with those

those Demurrers, Arrests of Judgment, and Writs of Error.

*L's Ghost.* For Pity Sake leave me my *Writs of Error*, dear *Mercury*: I shall be undone if I am divested of them.

*Mer.* Why, of what Use do you think they can be to you on the other Side *Styx*?

*L's Ghost.* Of the utmost Service; for if Judge *Minos* and the rest of the Bench shou'd give Judgment against me, I would bring a *Writ of Error* and stay Proceedings.

*Mer.* Ha! ha! ha! None of your Quibbles will serve you now: What may be of real Use to you carry freely. Take your *Conscience*, your *Integrity* in your *Opinion*, your *Regard* for *Justice* only in your *Pleadings*, your *Modesty* of *Speech*, your *un-corrupted Hand*, and your *best Heart*.

*L's Ghost.* With humble Submission, these are Things which I never heard of in *Westminster-Hall*.

*Cb.* Nay, then turn him in naked as he is, and let him take his Chance—No Contumacy—no Dispute—sit down contented, unless you'd have a Knock over the Sconce with my Oar.

*2d Ghost.* Your Servant, Mr. *Mercury*—Good Mr. *Charon*, your humble Servant—

*Cb.* This is some Courtier's Ghost by his Complaisance.—But what does he take *Mercury* aside for?

*2d Ghost.* Shall I beg the Favour of your Godship of one Word in private.

*Mer.* No, no, we have no secret Transactions here, Mr. *Bribevell*,

*2d Ghost.* Do you know me then?

*Mer.* Know you; ay, sure; you are the famous Mr. *Bribevell* of the—*What d'ye sail* it Office, not far from *Whiteball*, who have a long Time been Agent to—no Matter mentioning Names—But, good Sir, forget your old Habit of thinking nothing can succeed without *Corruption*—You must now act on the Principles of *Honour* and *Honesty*—you are now in another World—

*2d Ghost.* So it is a Sign—Upon my Faith, *Mercury*, you are the first Person I have spoke to some Years, who has absolutely refus'd the Overtures which I have made; and I have in my Time had several Conferences with *Dukes*, *Earls*, *Viscounts*, *Bishops*, *Barons*, *Knights* and *Commoners*.

*Mer.* O, Sir, I know you are a notable Fellow at *Negotiations*, but all such will prove entirely in vain here; therefore, without any more Attempts at *Bribery*, lay down those *Ex-gra Bills* and *Tallies* which you have artfully conceal'd under your Coat—Come, come, strip, while I go on with other Business.

*2d Ghost.* Not so neither; if I cannot succeed one Way, I may another.—Honest *Charon*; your *Hand*, old Boy; I hope we shall have a safe Passage over,

*Cb.* Never fear that—But what have you put into my Hand?—*Gold*—

*2d Ghost.* Harkye—a Word in your Ear—I'll make them twenty Pieces a cool Hundred. I have those Bits of Paper and foolish Pieces of Sticks to slip under the Benches of your Boat—You understand me—

*Cb.* And wou'd you give me this Gold to corrupt my Honour?

*2d Ghost.* Your Honour—No, no, no, no—Far be it from me to attempt your Honour—It is only, Sir, to buy some new Tackle for your Boat, and to get your Sail mended.

*Cb.* Why, you whorson, villainous, lying Rascal, do you take me for some Fisherman who has a Vote in a Sea-Port Borough? D'ye think to cajole me out of my *Honesty*, by giving me a specious Pretence for parting with it? There's your *Guineas* about your Ears; and had all your Countrymen a Spirit worthy of their Nation, by serving such Corrupters in the same Manner, they wou'd never lose their antient Honour and antient Liberty.

*2d Ghost.* Who would have thought the tatterdemalion Rascal would have refus'd Gold, and when I came up to a Price which a *Returning Officer* has not deny'd?

*Cb.* Come, come, lay aside your Papers, Sticks and Roguery, and step into the Boat, or it will be the worse for you.

*2d Ghost.* Since it is so, I must comply; but it is with a melancholy Reflexion that I must fling this Bundle down.

*Cb.* Heyday!—What have we here?—*Mercury* struggling with a Lady!—So ha, there!—What is your Godship about?

*Mer.* I have got as troublesome a Female as ever I met with; she will not part with that large Hoop-Petticoat and spreading Robe de Chambre on any Account.

*3d Ghost.* Why, thou Barbarian, how cou'd you think a Woman of my *Modesty* and *Virtue* cou'd think—Eigh, shocking Thought!—to—to appear without the least decent Apparel.

*Mer.* Mistress *Prudella*, you may now lay aside all that affected Regard for *Modesty*, *Virtue*, *Honour*, and all that; for however you may have deceiv'd the World, you cannot deceive us. You are now to appear in the undistinguish'd State of Nature, and it cannot be shocking to you, when you see the rest of your Sex in the same State.

*3d Ghost.* O Lord! I cannot endure, I hate, detest, and abominate the Reflexion.

*Mer.* Come, Madam, it signifies nothing, if you will not pull off your Hoop, I must.

*3d Ghost.* O Gemini! What, meddle with my Petticoat—Insupportable Impudence—I cannot bear it—

*Mer.* But you cou'd bear it, and without all this Reluctance, when Capt. *Carbine* meddled with it in a certain *Green Damask Room* near—



3d Gbost. Ah! I am discover'd, ruin'd; my Virtue and Honour are lost—O my Character, my Character—

Mer. Now your Character is known, why this Delay? But you deceiv'd yourself in the other World; all knew the Reason of that monstrous Hoop and Robe de Chambre, and that it was to conceal the evident Consequence of a scandalous Amour, tho' you flatter'd yourself that your formal Censure on every other Woman's Conduct wou'd conceal your own.

Cb. Ohoe! Is that the Case! Pray, young Woman, don't be so very scrupulous; you will meet with several antient and modern Prudes who will keep you in Countenance. There is a peculiar Quarter on the other Side the River allotted for them.

Mer. Where they still claim a superior Excellence over the rest of their Sex, and, like the living Prudes, have nothing but Virtue and Honour on their Tongue, and Hypocrisy and Vice in their Heart.

3d Gbost. Nay, then I am entirely easy—I shall not there be liable to scandalous Reproaches; the Fear of which broke my Heart, and occasion'd my untimely Death—Pray, Charon, lend me your Hand into your Boat.

Mer. Such is the Difference between a Hypocritical Prude and a truly virtuous Woman: The first fears the common Reflexions of the World, and, if she can secretly err, feels no Compunction at the Crime; the latter, conscious of not erring at all, feels no Pain at the common Censure of the Publick.

Cb. Holla! Mercury! Here is a strange Fellow, with a rueful Countenance, hollow Eyes, and all the Symptoms of Melancholy, who would force himself into the Boat without Examination.

4th Gbost. Examination!—I want none—I have a sufficient Passport, the Authority of which none of ye dare refuse.

Mer. Pray, good positive Sir, who are you, and what is your Authority?

4th Gbost. I am, Sir—I am—what they call a Methodist, and my Authority is from Mr. Whitefield.

Mer. A Methodist—Pray what may that be?

4th Gbost. Why a Methodist is—is—nay, I cannot give any Definition what it is; all I know, is, that we have more Religion, more Charity, more Contempt of the World, and more Divine Inspiration, than any other Set of People.

Mer. A very charitable Way of judging of others truly—But how are you ascertain'd, that you exceed all the rest of Mankind in these Things?

4th Gbost. That we exceed them in religious Works, is evident; we sing Hymns and Psalms Day and Night; we pray without ceasing; we despise all worldly Affairs; we devote our Devotion on Commons, Fields and Highways, and we travel abroad over the Face

of the Earth to give Testimony of our unfeigned Godliness; and that we are divinely inspir'd is undoubtedly prov'd.

Mer. As you are so extraordinary a People, I should be glad to hear a Proof of that given.

4th Gbost. O, Sir,—we are undoubtedly inspir'd—because—we are inspir'd.

A Mer. A most unanswerable Demonstration!

4th Gbost. What other cou'd you expect? We believe an Inspiration; we know it, we feel it.

Mer. Is it not madness rages in the breast?

For one inspir'd, ten thousand are possess'd.

4th Gbost. I know not what you may call it; but I am sure my Brother Whitefield term'd it Inspiration, and prov'd it was such after the Manner I have done.

Mer. And after the Manner that your Countryman, George Fox, and ten thousand other Enthusiasts have done before you.

4th Gbost. Is it possible that so heavenly a young Man cou'd err in so material Point?

Mer. As to his Divinityship, (which he almost affects) it is no Proof here of his Infallibility; nor will his Assertions have any Weight with us, unless they are founded on Truth, and can consequently be defended by Reason. We have had a sufficient Number of inspir'd Devotees arrive here, who upon a very little Examination, instead of Saints and Prophets, prov'd downright Fools, Madmen or Hypocrites.

D 4th Gbost. What do you mean? I hope you will not charge any of those Characters upon us.

Mer. Before I admit any of you into Charon's Boat, I shall see how far they are applicable—You, Sir, I think was a very zealous and remarkable Disciple.

E 4th Gbost. I was so—I dispos'd of the greatest Part of my Estate in Acts of Charity, settled the rest on my Wife and Children, and then forsook all the common Concerns of Life, as Wife, Children and Estate, and accompany'd my Brother Whitefield in all his Peregrinations.

Mer. And pray what particular Satisfaction might you reap from this extraordinary Conduct?

F 4th Gbost. Satisfaction unparallel'd!—The Satisfaction of having the Approbation of my dear, devout Brother, Mr. Whitefield; the Satisfaction of being an Instrument under him of reforming Mankind; the Satisfaction of being particularly observ'd by ten thousand People at a Time, and the Satisfaction of being talk'd of by ten thousand more.

Mer. Well then, having laid aside all worldly Concerns some Time ago, you have not the least about you now?

4th Gbost. Not the least.

Mer. Will you then do me the Favour to give me that Manuscript Paper Book, which is conceal'd in your Bosom?

4th Ghost. That Paper Book—But pray for what Reason?

Mer. Only that I may *destroy* it entirely.

4th Ghost. Destroy it—not for the Universe.

Mer. Is it so valuable?—Pray what may the Contents of it be?

4th Ghost. It's the *Journal* of my Life—of when I *sung* Psalms, when I *pray'd*, when I was *sick*, when I was *well*, when I *went*, when I *came*, when I *eat*, when I *drank*, when I *slept*—what I *saw*, and who I *saw*, and when I *saw*—what I *said*, and *he* said, and *she* said, and they said—and ten Million other important and instructive Actions of Life.

Mer. That notable *Diary* you must deliver up, and also that *Folly* and *Vanity* which lurk in one un sanctify'd Corner of your Heart, and which are Appendages to that same *Journal*.

4th Ghost. *Folly* and *Vanity*!

Mer. Yes; or why shou'd you think such an *Historical Rhapsody* worth Publication: True *Piety* wants not to be publicly avouch'd:—Besides, will the declaring the minute Circumstances of your Life reform that of others? If your Life is *pious*, why would you yourself *publish* it to Man? It is not in Man to reward it—No, it is *abominable*, *enchusiasmatic Vanity*, and an uncommon Proof of the *Pride* of human Nature—Come, Sir, away with your *Folly*, *Vanity*, and *Journal* together.

4th Ghost. Well then, there they are—Now I hope I may be allow'd my Passage.

Mer. Stay a Moment; that *News-Paper* in your Pocket you will have no Manner of Occasion for; that can be of no Value.

4th Ghost. O, Sir, I value it highly—There is a *Letter* in it to a *Clergyman*, a *Brother* of mine, who is now in *Italy*: It is an Answer to a *Letter* of his, and I had it printed in the publick *News Papers* \*.

Mer. For what Reason?

4th Ghost. To shew the World how righteous I was tho' a *Layman*, and how *unrighteous* he was tho' a *Clergyman*; for tho' he is my own Brother, I have openly charg'd him with a shameful *Lukewarmness*, and a Spirit of *Preferment-Hunting*, the Scandal of our modern *Clergy*.

Mer. But to have appear'd candid, ought you not to have printed his *Letter*, to which this was an Answer? There may have been Arguments in that which you have not refuted: Ah, Sir, how will *Bigotry* to an Opinion deprive Man of his Reason—Nothing but *Madness* could have induced you to print such a *Letter* of a private Nature—You must part with it now, and with that severe *Uncharitableness* which attends it—Now, Sir, you may go into the *Ferry-Boat* whenever you please.

4th Ghost. Why now, Sir, I am not *dislin-*

*guish'd* from any other Ghosts; I thought some Regard might have been paid me on my Brother *Whitefield's* Account.

Mer. I should not have been more complaisant to your Brother *Whitefield* himself, and perhaps on Examination might have found more worldly *Follies* and *Vanities*, which I should have made him have parted with.

5th Ghost. Mr. Mercury, if you have done with your Saint, will you give me my *Passport*?

Mer. Pray, good Sir, step in, for I don't perceive the least worldly *Care* about you.—*Charon*, lend that Gentleman your Hand.

4th Ghost. Bless me! What do you mean? Do you suffer *him* to pass thus after such Examination of me?

Mer. Him! Do you know him then?

4th Ghost. Yes; a Man—indeed *bonest* enough in his Character, but never remarkably religious; who liv'd too elegant in the other World ever to think much of this; who often spent his Time in the vain *Diversions* of Life, instead of Acts of *Penitence* and *Self-Denial*; who had too much *Mirth* to be devout, and too much *Wealth* to have the *In-dwelling* of the Spirit.

Mer. With the *Inspiration*, which your Sect pretends to, is it given them to know the *Secrets* of the Heart? Ridiculous Men, who pay such Veneration to the outward Signs of *Sanctity*, as to esteem those as Reprobate, who appear not in publick equally severe in their *Manners*, and zealous in their *Devotion*!—This Person, whom you look'd on in the other World with an arrogant *Pity* for not coming up to your *Standard* of *Righteousness*, and for giving a Relaxation to the common Cares of Life, by being amus'd sometimes with the innocent *Diversions* of it; this Person had as much *Love* of Religion, and as little *Love* of the World and the Vanities of it, as the pious Leader of your Sect. If he was not remarkably religious in publick, he was truly so in private; he liv'd according to that Station of Life in which he was plac'd, decent without *Prudgality*, and charitable without *Affectation*; his cheerful *Mirth* was not from his Want of *Piety*, but rather flow'd from an innocent and virtuous Heart; he did not indeed think by

inconsiderately parting with his *Wealth* he should purchase the *In-dwelling* of the Spirit, but bestow'd it as an honest wife Man would do, among his *Children* and *Relations*: In short, humbly devote, agreeably cheerful, humanely beneficent, he was a good Man, a good Parent, a good Master, and a good Friend: Far from being attach'd to the Vanities of the World, he relinquish'd them all with Joy: and such was his Life, he fear'd not to die: such was his Death, that he did not longer wish to live.—Now, Sir, you may go into the

\* A Letter from Mr. S—w—rd, in Answer to one of his Brother's, was printed in the Daily Advertiser.



the Boat, and by Experience learn, that *Man* cannot enter into the *Heart of Man*; therefore to condemn others for *Lukewarmness* and *Want of Piety*, before *Death* has brought them to an impartial *Examination*, is an *uncharitable Pride*, and an insolent *Affectation of Divinity* itself.

From the Craftsman of Sept. 1. N<sup>o</sup> 686.

YOU must know, *Sir*, that I am by Profession an *Apotecary*, and have apply'd much of my Time to *Botany*; I shall therefore make a few Remarks on two or three Plants of very extraordinary Qualities.

One of these is the *sensitive Plant*, which shrinks from the Touch, and for that Reason is call'd in the *Latin*, *noli me tangere*. Physicians and *Naturalists* tell us that it is not only endowed with a *natural Timidity* itself, but will communicate it to any Body, who tastes of it, as the Herb *Nepenthes* gives Joy and Spirits. The *Ancients* do not seem to be unacquainted with it; for *Dioscorides* tells us a remarkable Story, that having infus'd some Leaves of a certain Plant in a Potion, and given it to one of *Nero's* Favourites, who was a very bold enterprizing Fellow, his Constitution immediately alter'd, and he grew so mean-spirited, that for fear of just Punishment, he cut his own Throat. This seems to be that Monster *Tigellinus*: (See p. 401.) And the dastardly Spirit, which most bad Ministers have shewn in Adversity, and the scandalous Ends they have made, would incline one to think that they have been dos'd in the same Manner. Such a Minister cannot chuse a better Motto than, *noli me tangere*.

There is another Plant, which was formerly in great Esteem, as a Strengtheners of bad Constitutions, call'd, *Robertianum murale*, or, *Robert of the Wall*. It has likewise the Royal Title of *Gratia Dei*, or the *Grace of God*. But it is now grown quite out of Repute, and hardly ever us'd in regular Practice.

The Root of *Hellebore* is pretty commonly known amongst Us, and was look'd upon by the *Ancients* as a Specifick against *Madness*; whence came the Proverb amongst the *Roman* Satirists, when they had a mind to represent any Person as a *Madman*, *Naviget Anticyram*; let Him go to *Anticyra*, an Island in *Thessaly* famous for this Drug. But it is very much to be suspected, as *Dr. Quincy* observes, that the common *Hellebore* falls greatly short of that us'd by the *Ancients*. This is a very great Misfortune at a Time, when a Kind of *Epidemical Madness* seems to prevail amongst us, as it did amongst the *Romans* in *Horace's* Time.

I therefore leave it to the Consideration of the P—t, whether a Law ought not to be pass'd for importing a large Quantity of the right *Anticyran Hellebore*, if there is any left in that Country, at the publick Expence, and Duty-free; or that all such *maniacal Persons* should be sent to the Island itself. But, per-

haps, this may be look'd upon as a Project for dispeopling the Kingdom of its most useful Inhabitants, and a Plot against the *Ad—on*. I therefore recommend the former Scheme.

A I shall conclude with a little Cast of my Art in Minerals and Compounds. In all *hypocondriacal Cases*, which affect the animal Spirits, and consequently the whole Constitution, all regular Physicians agree that nothing is a better Remedy than a Preparation of Steel with Sulphur, &c. tho' common Empiricks, in all Ages, have endeavour'd to impose upon the Vulgar and Ignorant, by substituting Preparations of Gold and Silver in its Stead; particularly *Aurum fulminans*, which makes a thundering sound, and *Aurum potabile*, which is a bewitching Dram to most People of a vitiated Appetite.

B I suppose that the ministerial Practitioners will object that I talk like an *Apotecary*, as I really am; but every Body hath been convince'd that they write like *Quacks* and *Charlatans*. Let them therefore mount a Stage in *Moor-fields*, or *Tower-hill*, and I'll answer for it, that Doctor *Rock* will sell more Packets than any of them. Nay, I believe that no common People, besides *Excise-men*, *Custom-house Officers* and other low Retainers of Power, would even take them gratis, unless they happen to be in great Necessity of *Waste-Paper*. I am credibly inform'd that several *Post-masters* have already lost most of their best Customers, upon this Account, and therefore very prudently burn the *Gazetteers*, or put them aside, for common Use, as soon as they receive them.

Yours,

PHARMACOPOLA.

Common Sense, Sept. 1 and 8.

E Mr. Common Sense lays aside Politicks for these two Weeks, in order to give a Dissertation of *Mons. Tourriel*, wherein he examines, Whether it was wisely done to abolish that Law of the Romans, by which Women were kept under the Power of Guardians all the Days of their Lives. The first Paper is on the negative Side of the Question, the other on the Affirmative, of which we can give only a short Extract.

F THE Empire (says he) we exercise over the fair Sex is usurp'd, and that which they obtain over us is by Nature. Our Submission very often costs them no more than a Glance of the Eye. The most stern and fierce of Mankind grows gentle at the Sight of them. The solemn *Areopagus*, mounted on his Tribunal, and entrench'd in the Centre of his Gravity, cannot hold out a Minute against a *Phryne* unveil'd. How comes it to pass, that Magistrates of such a Character should suffer themselves to be thus corrupted?

To

To which an antient Philosopher made this Answer, That none but a blind Man would ask such a Question.—What a whimsical Conduct it is to dispute with Women the Right of managing their own Estates, while we give them up our Liberties at so cheap a Rate? We will not allow them the Power over their own Conduct, at the very Time that we make them Sovereigns of ours; we should soon be weary of our Lives, where they once disgusted at governing of us.

I don't know what Excuse to make for the *Roman* Cenfor (*Cato*.) when he pronounced, that the Minute we ceas'd to restrain Women, they would cease to appear what they were not, and that they would make no Difference betwixt Licence and Liberty. He was mistaken; for it is Constraint that irritates Desire, and makes Pleasure more piquant. The Countries which most abound in faithless Women, are those whose Jealousy confines them; nor do their Infidelities any where go so far as the Cenforious publish, or as the Jealous imagine. These last extremely regret the Revocation of the *Roman* Laws, and murmur as much against ours.—But let us applaud the Reformers of an Abuse which may turn against us: Let us not pretend to raise ourselves so much above them. Let us frankly agree to an Equality of Wisdom, we shall not lose by the Bargain. It rarely happens, but that we share with Women the Shame of their Weaknesses; we are either the Authors or the Accomplices of them. On the other Side, how many Follies have we that are peculiar to ourselves; how many Occasions are there where their Modesty conceals more Merit, than we can shew with all our Vanity?

I say once more, let us agree to an Equality, which proves itself by the most evident Marks, and by the most incontestable Maxims: We may easily learn by these Maxims and these Notions, that the Soul has no Sex, and that Minds which have the same Make, have the same Kind of Movements.

All Ages and all Countries have had their Heroines, as well as their Heroes. Let us but examine our own Times, we shall find a great many illustrious Women. There are those among them who possess a most steady Firmness of Soul, a singular Generosity, a consummate Prudence, a solid Piety, a lively Faith without Superstition, a Conscience, scrupulous, and delicate, without Weakness. There are Women to be admired in all Conditions, unfortunate with Dignity, humble and meek in the highest Fortune, affable without Art, modest by Nature, and doing Good by Choice.

*Craftsman*, Sep. 3. N<sup>o</sup> 687.

THIS Paper represents a *Methodist* proposing a Scheme for erecting a new Court

of Equity, to consist of his Brethren the *Methodists*, for reforming Abuses in the Nation.—

What I propose (*says he*) with relation to Courtiers, is to regulate their Gains according to their Merit, as they shall make it visible to the Court: With regard to the rest of the World, to regulate Mens Expences by their Fortunes; to retrench Luxuries, and discountenance Vanities, as all these appear before the Court from proper Complaints.

I will explain my Meaning concerning Courtiers. We will suppose a Complaint properly made against a Place-man. The Court must then proceed to enquire what Fortune he had upon his Entrance into Business; whether his Estate was, at that Time, in Debt; what have been his constant Expences; and what is the full Value of his present Possessions real and personal. In the next Place, they are to be inform'd by himself, what Services he has done to his Country, whether he has been in most Haste to pay his own Debt, or the Debt of the Nation.

As no Man ought to make greater Profit of the Publick, than it might be suppos'd he could have made in a Profession; so supposing the State to be a Client or Patient, the Place-man's Gain is to be permitted in Proportion to what he can prove the Nation better'd by him in Constitution or Wealth; none to be allowed to exceed the Riches acquir'd by *Ratcliff* or *Vernon* in their Practice; all Overplus of Houses, Temples, Parks, Lakes, Statues, Pictures, Water Engines, Ribbons, Jewels, Hounds, Horses, &c. to be forfeited. The Forfeitures to be applied, first, to the Support of the Court, and the Remainder to the publick Service. The Party offending to be declar'd a Ward during Life. But in Case it should appear that the Person under Examination had never done any Good, but on many Occasions Mischief to his Country; then the Court to order, that the Cook-maid do cut off his Spurs, if he be above the Degree of an Esquire, and that the Tipstaff do convey him to a superior Judicature, with his Examination pinned to his Skirts.

Malversation in private Life to be thus proceeded against. If any Person should be accused by *Woollen-Draper*, *Butcher*, *Baker*, *Brewer*, *Grocer*, *Taylor*, *Candler*, *Fishmonger*, *Farmer*, *Scavenger*, *Chimney-sweeper*, *Gold-finder*, *Bookseller*, *Tinker*, *Broom-maker*, or any other useful Trade or Calling, of Neglect to pay his just Debts, at a proper Time, and upon proper Notice, the Party offending to be put into Wardship, during Pleasure; and for the second Offence, Wardship for Life.

The Court shall not be authorized to receive Complaints from *Jewellers*, *French-Cooks*, *Lacemen*, *Wine-coopers*, *Pimps*, *Barods*, *Pawn-brokers*, or any other Trade or Occupation which is destructive, or not necessary to Society.

Provided always, that the Court in each En-



quiry, whether of a publick or private Nature, do make Allowance to all Parties for *real Charities* bestowed upon proper Objects, to the treble Value of the Sum so bestowed.

I can't conclude without telling you that I have lately read an Article from *Spain*, which gives me Disquiet, concerning some Regulations *Monfieur De la Quadra* is making in the *Civil List*, and likewise setting forth his own Desire of *Retirement*; from whence I apprehend that he is become a *Metbodist*; and tho' there is not one of my *Persuasion* more delighted with the Increase of our Sect, yet as an *Engliffman* I should be struck with the deepest Concern, to find a *Spanifh Jefuitical Minifter* enlighten'd with the Spirit of *Metbodifm*, before our wife *Engliffh Proteftant Statesmen*.

Common Sense, Sept. 15. N<sup>o</sup> 137.

SIR,

I have read, that *Q. Elizabeth*, being very much incensed with a Book which she looked on as seditious, ask'd Sir *Francis Bacon*, whether he could not find Places in it which might be drawn within Case of Treason? Whereto that wise Man answered, That for Treason surely he found none; but for Felony a great Deal. And when her Majesty hastily ask'd, wherein? He answered, the Author had committed very apparent Theft; for he had stolen most of the Phrases from *Cornelius Tacitus*, and translated them into *Engliffh*, and put them into his Text. In this Light I look on *Caleb* and yourself, as guilty sometimes of Felony only; there being no Smatch of Treason in showing the good People of *England* the Danger of a corrupt Ministry and Senate, in the Persons of *Pallas* and the *Roman Senate*, &c.

I have lately been reading *Juvenal's* 4th Satire, where I find a Description of so complete a Junto of wicked Ministers, and such egregious Trifling, as I believe no Age can parallel, much less can it be thought applicable to any *Christian King's* Council, unless one of the Characters may be thought still to subsist among us, which is, that of a *Whisperer*. *Crispinus*, who had a true Taste of Luxury, is represented as giving 6000 *Sesterces*, or 14*l.* of our Money, for a Fish. How must we suppose *Domitian* himself eat, says the Poet, if an upstart Buffoon could afford to give so much for one Dish? Luxury was grown to such a Height in this Reign, that several *Privy-Counsellors* gave it as their Opinion, that whatsoever extraordinary Fish was caught, of Course belonged to the Exchequer; the Satirist's words are, *Res Fisces est*, which I think must be so translated. Thus did these flattering Scoundrels indulge the luxurious Appetite of their Emperor, at the Cost of poor Fishermen's Properties; and *Domitian*, well knowing what servile Creatures he had to do with, on his being presented with a fine Fish, sent a regular Summons to these wise Ministers, to

come to Council and give their several Opinions concerning the dressing it.

*Juvenal* has exquisitely well described the mutual Distrust and Diffidence between a Prince and such a Council. — *Vocantur Erga in Concilium Proceres, quos oderat ille. In quorum facie misere, magnæque sedebat Pallor amicitiae.* But, in particular, he has given us the Character of a *Whisperer* in the Person of *Pompeius Rufus*: *Sæviior illo, Pompeius, tenui jugulos aperire susurro.* All which Poetry I would rather have the *Gazetteers* translate, as they are so great Masters of the Classics, and by that Means their Patron need not fear being wronged in any Thing which he may imagine alludes to him: In the mean Time,

I shall observe, that this villanous Art of whispering a Man out of the World has taken Place above 1500 Years, and it is much to be feared it still subsists in corrupt and wicked Ministers, to the Prejudice of the greatest and best of Subjects, and the Detriment of Princes, by depriving them of the most faithful Servants both in Court and Camp. 'Tis more than probable that this mischievous Talent robb'd this Nation of the Life of that great and wise Man, Sir *Walter Raleigh*, the Terror of *Spain*. — I thought of carrying this Subject farther, but, upon second Thoughts, I shall leave it to you to give the Publick some proper Reflections upon that Kind of Court Vermin, call'd *Whisperers*.

D §. To the Author of Common Sense.

SIR,

YOU are in hot Pursuit of *Common Sense*, I see. I like you for it, and have a great Mind to join the *Hue and Cry*: But, before I do, I have one Boon to ask of you. It is, that you would use all the Arguments you are Master of, to prove to me, that *Writers* cure, and *Readers* are cured of Vice and Folly. Will your Dissertation upon *Avarice* open the Eyes of one covetous Wretch; or your smart Touches upon *Absurdities in Dress*, work any Reformation among the Ladies? — I doubt not. I myself have read all the Books I could ever meet with against *Talkativeness*, and yet my Friends tell me I am one of the greatest *Talkers* who frequent our Coffee-House. Answer me, I pray you, Whether reading, or hearing Preachers, or Philosophers, against this same provoking Vice of silly and leaky Loquacity (for I hate it in others, tho' I am guilty of it myself) ever mends People, or does any Thing at all indeed towards getting them out of it?

I have read and heard a great many fine Things, in almost all Languages, against *Intemperance in eating and drinking*; I have seen the Force of the Arguments, and been fully convinced, that *Gluttony* and *Drunkenness* are the most nasty, and beastly, and murderous

erous Things in the World; and yet when I meet with a good Dinner, or a Bottle of good Wine, and like my Company, and think they like me, why I must own to you, that, tho' I have a thousand Precepts in my Budget against going too far, not one of them comes into my Head till next Morning, when I find, at waking, that it is much out of Order. Then do I most philosophically condemn myself for a Fool, and see very clearly, that *Temperance* is the Foundation of all Virtue.

Oh, dear *Common Sense*! what a wretched State it is, for a Man to be so deeply immersed in the Dirt and Mud of *Sensuality*, and *Debauchery*, and *low Pursuits*, as seldom or never to lift up his Head and bubble, to see what a damn'd Condition he has brought himself to? 'Tis then the Wretch begins *carere culpa*, as *Perfius* says, just when he gives over making Reflexions upon his deplorable Condition; when he does *stupere vitio*.

—*Nescit quid perdat, & alto*  
*Demersus summa rursus non bullit in unda.*

Oh, Words admirable, for Beauty and Strength, up to the *dernier* Point of Perfection! there's nothing finer in all Antiquity; and a Commentary upon them would be an excellent Lecture of Morality. I myself, not yet fifty Years old, do not bubble up above twice or thrice a Week. When I do, 'tis two or three Hours before Dinner, after I have gone cool and sober to Bed. But alas! one must go out, one must eat and drink, one is tempted by Company; then down you sink many Fathoms. But if, besides, a Man is so silly as to go to *Phillis*, he is almost sure to be quite demers'd next Day, and to be in a State worse, much worse than Annihilation. Let me ask you farther, what you'll say or do to the Man who drinks, and curses himself for drinking when the Glass is at his Lips? 'Tis my own Case frequently, and that of a thousand thousand others, no Doubt.

And yet such are among the *Non-desperates*. They still reflect; they wish they could, but cannot; they make fresh and hearty Resolutions every Day, and every Day break them. They do not *carere culpa*, but they soon will. They emerge now and then indeed, keep their Heads above Water but a very little While, and then plunge down again into the *Coenum* rather deeper than before. It is certainly the hardest Thing in the World to get out clean, after one has been in a good While.

But hold; the Vessel leaks, and I find I am in Danger of running into Impertinence. I will e'en read over again the Reflexions of *Aulus Gellius*, Lib. 1. cap. 14. upon *Loquacity*, which I have perused often with great Pleasure, and I fear but little Profit. 'Tis indeed very fine: But I cannot help making one short Remark upon it, that *Gellius* uses too

many Words, while he is shewing the Folly and Disagreeableness of *Loquacity*:—Tho' I really think Abundance of Words can never be better employed, than against Abundance of Words.

*Craftsman*, Sept. 15. N<sup>o</sup>. 688.

Of the King of Spain's MANIFESTO.

OUR Affairs are at last brought to a Crisis, which hath long been expected; for a *Manifesto* is commonly the Fore-runner of a Declaration of War, and we have very few Instances of Matters being accommodated between Princes, after coming to such Extremities, without Force of Arms.

This is a melancholly Consideration, in our present Circumstances, laden with an heavy Debt, oppress'd with a Multitude of grievous Taxes, depriv'd of many valuable Branches of Foreign Trade, and consequently declining in our Manufactures at home; for notwithstanding what a late Writer in the *Gazetteer* hath advanced, concerning the Improvements of our Trade, Navigation, and Manufactures, for 20 Years past, the contrary is demonstrably true.—When was there a greater Appearance of Poverty in all Parts of the Kingdom? When were Rents worse paid, or more Farms thrown up? When were there so many Bankruptcies, Insolencies, or Distresses in private Families?

But the worst Circumstance of all is, that the Balance of Power in Europe is, in a Manner, totally destroy'd, and hath render'd it almost impossible for us to recover that Alliance, which not only enabled us to carry on the last War with so much Success, but even contributed very much to the Accession of the present Royal Family to the Throne, and will be the best Support of it; for whilst there is an equal Division of Power amongst the Princes of Europe, there will be no Occasion for a numerous standing Army, which is always burthensome, and too commonly breeds Disaffection.

I wish we may not have Reason to repent of our close Conjunction with France, for several Years, which aggrandiz'd that powerful Neighbour to a Degree beyond what was ever known before, and reduc'd the Emperor so low, that it oblig'd him to accept of a very disadvantageous Peace, both to himself and all Europe. I likewise wish that we may not soon feel the Effects of conniving at the Reparation of *Dunkirk*, which was so seasonably complain'd of, on one Side, and so industriously stifled on the other; for if France should take Part with Spain in our present Disputes, may it not prove as pestilent a Nest of Privateers, and thereby molest our Trade as much, as it did in the last War?

Had we made Use of our Fleet against Spain, nine or ten Years ago, instead of employ-



ploying it in her Service, by conveying Spanish Troops into Italy, for the Settlement of Don Carlos; or had we supported the Emperor, when attack'd there, it is almost impossible to suppose we could have fail'd of Success. But it was always foretold, that our manifest Dread of a War, and continual Expedients to avoid it, were the most likely Means to involve us in one at last, after we had exhausted ourselves to preserve an outward Shew of Peace.

This leads me to the Consideration of the late Convention with Spain, and her present Manifesto, which is the natural Consequence of it; for as it could not be reasonably supposed that the Convention would ever be executed, on our Part, so it was easy to foresee that Spain would not depart from a Tittle of what she had obtain'd by it.

One of the Gazetteers, indeed, observes that the Convention was found to be so honourable and advantageous to Great Britain, that Spain would not put it in Execution. But the Court of Spain is so far from being of the same Opinion, that the whole Manifesto is founded upon our Non-execution of it; and, having got the Treaty mutually sign'd and execut'd, seems resolv'd to hold our Nose to the Grindstone, and does not care to have its Head quite tript up; (as the Translator phrases it, without any Foundation in the Original;) for the Catholic King asserts, in his Manifesto, that notwithstanding the pretended Conventions on the Part of England, neither of the two Parties can free themselves from the Obligations of the Convention; because as it was form'd by a common Consent, there must be a like Consent to dissolve it. But as Spain insists that the Convention is annul'd on our Side, by the S. S. Company's Refusal to pay their Claim of 68,000*l.* and since it is equally vacated, on their Side, by refusing to pay us the 95,000*l.* it is to be hop'd that no British Minister will ever suffer it to be mention'd again in any future Negotiation.

But how could it be expected, that a Treaty would be of any long Duration, when the most material Article of it is understood in a quite different Sense by the contracting Parties? Our Minister asserted in a publick Assembly, that the Declaration and Protest of the Spanish Court, concerning the 68,000*l.* to be paid by the S. S. Company, had no more to do with the Convention than with the Grand Alliance. Whereas the Court of Spain insists, from the Words of the Convention, that this 68,000*l.* was a settled, stated, executive Debt, payable within a short Time; that it was the Basis and Foundation of the Convention; a Condition not to be eluded, under the Validity of which the Signing was to be pronounced, and not otherwise. However, I cannot yet be induced to believe, as it is insinuated in the Manifesto, and said to be pub-

lickly declar'd by Don. Geraldino, before his Departure, that the first Hint of demanding 68,000*l.* from the S. S. Company, arose from our own Minister at home.

The Country Party are fully justified in their Apprehensions about our Transactions with Spain, for several Years past; and having been always uniform in their Speeches and Writings on that Subject, are at Liberty to proceed with the same Honour and Consistency. But how can the other Party answer the Spanish Manifesto, without tacking about, and borrowing their Arguments from those, whom they have long endeavour'd to represent as Enemies to their Country? What can that Man say, in particular, who was pleas'd to congratulate us upon the Convention, as a Treaty, which had obtained more for us than could be expected at the End of a successful War; that the Spaniards were oblig'd to pay us Costs; and that we have it now under the Great Seal of Spain? These were all the mighty Advantages obtain'd, in Consequence of that memorable Sentence, at the Conclusion of the foregoing Session: *How shall I be ever able to shew my Face again in this House, if I do not procure Justice to the Nation, and ample Satisfaction to our injur'd Merchants?*

This Gentleman is certainly very much oblig'd to the Author of a late Address to the Freeholders, &c. which is the best Vindication of him from the repeated Charge (in the Manifesto) of unreasonable Demands, Want of Confidence in the Spanish Court, and backing the S. S. Company in their Refusal to pay the 68,000*l.* whereas it appears in that Pamphlet, that no Minister ever made more Condescensions in order to avoid a Rupture; and it is remarkable, that even the very Assogue Ships arriv'd safe in Port, tho' they were met at Sea by almost every Body, except those, who were appointed to look out for them. The Manifesto itself very plainly intimates, that the Minister was ready enough to execute every Article of the Convention, if he had not been compell'd to alter his Measures by the Clamours of the People, and the Party in Opposition to him, who were highly enrag'd at it. Thus it stands in the Original, tho' the Clamours of the People are entirely left out of the Translation, for Reasons to be easily guess'd.

One would be apt to think that the Court of Spain had copied their Reflexions on our Merchants, and their Arguments against a free Navigation in the American Seas, from the worthy Writers in the Gazetteer, who have furnish'd them with abundant Matter upon this Head, for several Years past. Thieves, Robbers, Buccaneers, and Pyrates, are the best Names they could afford them; and they have even gone so far as to assert, that the English Seamen have been guilty of more Inhumanity towards the Spaniards, than the Spaniards have been towards us—But to return.

If the Breach of the *Convention* was really owing to the *Party in Opposition* to the Minister, the Nation is very much oblig'd to them; for even a *War* is certainly preferable to a *Peace*, upon such ignominious Terms.

But pray let me ask what became of *another Treaty*, negotiated with *Spain*, about a Year ago, which may be suppos'd to have been much more advantageous to us for two Reasons, *first*, as it was said to be signed by most of the Members of what is commonly call'd the *Cabinet Council*; and *secondly*, because the Court of *Spain* refus'd it? What Authority had Mr. Keene to lay aside *that Treaty*, and substitute *another* in its Room, sign'd by *himself only*? How came he to give up not only a *national Treaty*, but the Rights of a *Company*, in whose Service he had long been profitably employ'd? What a Figure do we see him make, thus yielding up a Point of such Consequence, as *Minister Plenipotentiary*; and then, as *Commissary Plenipotentiary*, desiring to have it declar'd, that the King of *Spain* had not a Power to suspend the *Affiento Contract*, as being a *national Treaty*? I will not take upon myself to say whether Mr. Keene had any Powers, or not, or indeed whether any Body could legally give him any Powers for such a Procedure; but as this Affair is at present very dark and mysterious, it is hoped it will be thoroughly sifted in a *proper Place*, and the whole Transaction fully explain'd to the World.

In former Times it was always usual, upon such important Occasions, to employ Men of the *highest Rank and Eminence*; who, by their *Dignity*, might add a Weight to their *Negotiations abroad*; and, by their *Fortunes*, give a Pledge to their *own Country* for the Integrity of their Conduct. This was certainly a wise Precaution, which ought always to be observ'd; for a Man of *mean Birth*, and *low Fortune*, may be tempted to sacrifice the *publick Interest* to his *own*; or, at least, become the Tool of a *Minister*, by whose indulgent hand he was rais'd.

To conclude, since Matters are now come to such an Extremity, as appears by the *Spanish Manifesto*; and since those who brought us into these disastrous Circumstances, seem to be ashamed of their former *Timidity*, by apologizing for an *Alteration of Measures*; it becomes every Briton, who hath a due Regard for the Honour and Interest of his Country, first to probe the Wound to the Bottom, and then unanimously join Hand and Heart in Support of the *common Cause*.

Craftsman, Sept. 22. N° 689.

S I R,

IF any one should say there was a Design on Foot to have no more Parliaments, it would be thought a very disaffected Speech; and yet, to say that the present House of Commons intend to continue themselves a Year or two beyond their septennial Period,

or to take off all Limitation, as to Time of Continuance, is saying what, in effect, amounts to the same Thing; and therefore I conclude there cannot be any such Intent. For, no doubt, if such Attempt was made and succeeded, the People would, in desperate Rage, universally wish and desire that there might be no more Parliaments at all; upon seeing the most valuable Branch of our Liberties, the *Freedom and frequent Election* of the *House of Commons*, which was recover'd by the *Revolution*, and assur'd to us by the glorious K. William in the *Triennial Act*, and so left unto us by Queen Anne; they seeing, I say, this Branch of our Liberties more than half taken away by the *Septennial Bill*, and then at last the Security of it totally defeated by *another Step*, would renounce the empty Name and useless Forms of Freedom, and would desire that such delusive Shadows might be taken away too.

Some have thought, that in case our Parliaments become never so corrupt, and at the Direction and Devotion of a Minister, it would be still best for the People to preserve the Forms of Freedom, and to wait and see whether Time and Chance would not throw up some good Law, by which we might recover our antient Securities again; and this may perhaps in some Situations be a right Conduct; but in general, I am not of that Mind; and for this Reason among others, *viz.* because, in such Case, while the old Forms remain, the wicked Instruments of our Destruction would continue feeding on the Baits which had allur'd them; but when once the Forms were taken away too, they would be the first Sacrifices; as they were rich, they would be the most tempting Preys; and as they had been the Causes of every one's Insecurity, they would be the most popular Objects for Sequestrations.

My main Intent in this Paper, is to shew, that besides the *Place Bill*, intended to be struggled for in the ensuing Session, there will be wanting one Thing more, to unite and content the Minds of those who are concern'd for the publick Welfare. What I mean, is the Revival of the *Triennial Act*; being persuaded, that as our Constitution, consisting of a King, a Nobility, and a Representative of the People, is as good a Form of Government as the Wit of Man can contrive; so, on the contrary, if ever the Representative Body should, by Corruption, or thro' Want of frequent Election, cease to be a true Representative of the People, it would become as ill a Form of Government as could subsist, and would most probably end in absolute Monarchy.

He concludes with an Extract from the Debates in 1675, shewing the Expediency of frequent Elections, some Part of which we have formerly inserted.

[The rest of the Essays in our next.]



To Capt. —, on bearing of his having  
taken out Letters of Marque.

WHEN stormy winds, and boisterous seas  
The dastard mariner \* affright,  
To live at home in rest and ease,  
Free from the dangers of the night,  
Is th' only boon that he'll request;  
Spare but the man, take all the rest.  
No more to dangerous waves he'll trust  
His life, his all, his gold, his store;  
Rather on land he'll live, and rust,  
Contemn'd, despis'd, inglorious, poor;  
Than sally forth again for wealth,  
And damnify both stock, and health.  
But since th' insulting Spaniard dares  
True English fortitude defy;  
Nor storms, nor winds, nor death he fears;  
Nay, in his country's cause he'll die,  
Rather than live thus dead to fame,  
And tremble at a Spanish name.  
To arms, to arms, he'll bravely cry,  
Assert your bleeding country's right;  
Dare to be men, all toils defy,  
Revenge, revenge, e'en dying fight:  
Then will victorious England take  
Madrid, and Haddock prove a Drake,  
In vain his former vows and tears,  
To Spanish regions he'll away;  
With mellow punch he drowns his fears,  
And every moment seems a day;  
Farewel, ye fields, ye groves! again,  
Tho' drown'd at last, he'll try the main.  
Thus various, fickle, changing are  
Our Inclinations, humours, minds;  
Like troubled waters never clear,  
Inconstant, wavering as the winds:  
Our fears are old, our hopes are new,  
And both as often false, as true.

J. RECINO.

An Epistle to the Rev. Mr. John Cary, upon  
his Retreat into Cornwall.

WHILST miters, canons, blunderbuss,  
and all,  
Thy virtue slight, or triumph in thy fall;  
Divert true merit's due by artful lies, [spise;  
Or, wanting worth themselves, thy worth de-  
Blind to that learning which the world com-  
mends,  
Yet not ashamed to call themselves thy friends:  
The faithful muse shall not betray her trust,  
Nor mingle with th' ungrateful and unjust,  
But still attend thee to thy calm retreat,  
And, if she envies, 'tis thy rural seat.  
Could'st thou but cringe and fawn like other  
slaves,  
Bow to the vile, and be the tool of knaves;  
A scarf, e'er this, lost virtue had repaid,  
And wrapp'd it in an everlasting shade;

The muse had pity'd what she now admires,  
And scorn'd that friendship which she now de-  
sires;

Thy name enroll'd among the mean and base,  
The last in virtue, tho' the first in place.

A mind so form'd could disappointments bear,  
And look on promises as — what they are,  
Nor of a courtier's broken faith complain,  
More than of jilting *Flavia's* cold disdain.  
True virtue by such trials is display'd,  
The more oppress'd the more illustrious made:  
A heart like thine wants not the solar ray  
To force its tender virtue into day,  
But full of innate warmth it shoots and springs  
E'er zephyr blows, or *Philomela* sings,  
Like the fam'd *Glaston* thorn, defies the cold,  
And blossoms in the winter, strong and bold.

Titles and dignities are not the things,  
From real worth alone true honour springs.  
Did zealous *Peter*, or did honest *Paul*,  
Loll in a desk, or slumber in a stall?  
Tho' faint'd now, on earth they had no place,  
No miter, crozier, virger, silver mace, [sed  
But preach'd the word, and whilst the flock they  
They pray'd and labour'd for their daily bread:  
Learn hence those vain distinctions to despise,  
Nor think by mean and servile arts to rise.  
Content with food and raiment let me live!  
'Tis what a bishop's blessing cannot give.

Hard is our fate in this devoted town,  
Small honour in, none paid unto, the gown.  
To please in such a sphere, who can pretend,  
When, what this man approves will that of-  
fend?

Such diff'rent parties, diff'rent int'rests jar,  
Virtue can scarce be neuter in the war,  
Between the giddy factions rudely tost,  
And, ah! too oft amidst the struggle lost.

Thrice happy you, who from these tu-  
mults free

Enjoy at length the sweets of liberty,  
Can call your time, your friends, your soul  
your own,

Nor fear a party's rage, or courtier's frown.  
Let statesmen rule us with an iron rod,  
And serve their country as they serve their God,  
Abuse the smiles and favours of the cr—n,  
And risk the publick safety for their own,  
Still be the sport of *Fr—ce*, the dupes of *Sp—n*,  
And only scare the *Nereids* of the main;  
Let nations murmur, or let *P—y* bawl,  
And with his thunder shake *St. St—n's* wall;  
Safe from th' alarms and tumults of the great,  
No fears disturb *St. Winow's* soft retreat,  
Hush'd all around, but zephyr's gentle breeze,  
And the sweet warblers on the neighb'ring  
trees;

Or, if loud murmurs wake the peaceful shores,  
'Tis only *auster* blows, or *ocean* roars.

There in the vale of peace shalt thou repose,  
Secure from treach'rous friends or furious foes;  
There *Milton*, *Virgil*, *Pope*, and *Homer* read,  
And join the living with th' illustrious dead,

Q q q 2

Com-

\* *Otium Divos regat, &c.* Hor. Lib. II. Ode 16.

Compare their wits, and whilst their rage  
 admire,  
 Catch from the glowing page celestial fire;  
 Or, more retir'd, the sacred books explore,  
 T'improve the wise, or teach th' unletter'd  
 poor; [compose,  
 Consult the learn'd, or thy own thoughts  
 And breathe them forth in animated prose;  
 While thy own flock its pastor's voice shall  
 hear,  
 (Not left unto another's venal care)  
 Learn wisdom from the musick of thy tongue,  
 With sense melodious, and with sweetness  
 strong:  
 So shalt thou merit and enjoy their love,  
 And whilst their bliss pursue, thy own im-  
 prove.

Ex—n.

PHILARETUS.

To a LADY, who said I had forgot her. In  
 Imitation of Virgil and Ovid \*.

FORget Roselia! Sure it cannot be.  
 The shrine deserted by the devotee!  
 Forbid it heav'n!—as soon may Blue-string cease  
 To guard Britannia from inglorious peace;  
 As soon the wakeful sun forget to rise,  
 And leave, to shine for him, Roselia's eyes;  
 Debts be remember'd by a thoughtless lord;  
 Or statesmen, by a blunder, keep their word;  
 As soon may *sevine* forsake their native sty;  
 As soon may *swaggering* bullies cease to lie;  
 Spruce dangles quit *babea* for nauseous port;  
 Or venal senators oppose a court;  
 Peter his griping usury give o'er,  
 As beautiful Roselia charm no more.

Written on the first View of Tunbridge-Wells,  
 in Kent. By Mr. Lockman.

CURIOUS, the bookish man surveying  
 The shiftings of this gaudy scene;  
 The tatling, gaming, dancing, praying,  
 Says, what can this strange medley mean?  
 As in each new-found nook he pries,  
 Amaz'd, he shews a scornful air:  
 And, to himself, indignant cries,  
 This must be, *Vanity*, thy fair.  
 Not so the belle, in fashions skill'd,  
 And a great traveller in romance.  
 To her the walks, balls, play-rooms yield  
 Raptures, which all her soul entrance.  
 Still as she treads the fairy-round,  
 And the gay objects re-appear:  
 Sweet bliss! (she cries) thy seat I've found;  
*Elisium* can be only here.  
 Between this pair, who form the song,  
 The bard decides thus at first sight:  
 The belle's idea may be wrong,  
 And the pale book-worm's mayn't be right.

\* *Ante locus ergo, &c. Virg. Ecl. 1. Cana prius gelido, &c. Ov. Trist. Lib. V. El. 13.*

To the AUTHOR of the LONDON MA-  
 GAZINE.

S I R,

HAVING lately sent you some Lines under  
 the plain and (I hope) inoffensive Title  
 of *Country Innocence*; (see p. 200, 251, 354.)  
 I've now ventur'd to trouble you with a few  
 more, under that universally-agreeable one of  
*Health and Content*. The former (I confess) look  
 a little giddy and fantastical, at first Sight,  
 And, to the polite Sparks of the Town, the  
 poor petulant Poet might perhaps appear (like  
 most other Rustics,) somewhat rude and un-  
 mannerly. However, there's no great Harm (I  
 hope,) in being an humble Advocate for rural  
*Simplicity*; or, in helping, all one can, to  
 suppress (by whatever Means,) the very ex-  
 travagant *Pride*, and insupportable *Luxury* of  
 the present Age.

As for the following blank Verses,—they  
 are of a more serious Sort; and were wrote  
 with a sincere View of benefiting both my-  
 self and others, when under the Pressure of  
 any *Worldly Calamity*, or *Bodily Indisposition*;  
 —of reconciling us, in some Measure, to the  
*light Afflictions* of this *momentary Life*;—and  
 of prevail'ing on us to *run with Patience*, and  
 even *Chearfulness*, the short, (but significant,) *Race*,  
 that is set before us.—If you think,  
 they're likely to be of any sort of Service, you'll  
 perhaps candidly admit them into one of your  
 Collections.

I am, S I R,

Sept. 15. Your faithful Correspondent,  
 1739. And humble Servant.

HEALTH and CONTENT. A Soliloquy,  
 [Being the Substance of some serious Thoughts,  
 that occur'd to the Author, when on a sick  
 Bed; but under a comfortable Expectation of  
 a speedy Recovery.]

O HEALTH!—thou best of blessings here  
 below! [forts!]  
 Thou first, thou choicest of all outward com-  
 How shall I fitly celebrate thy praise?  
 How, sing thy charming worth, O sweet con-  
 tent,  
 Thou prime ingredient of true happiness?  
 Blest emblem of that calm, pacific state,  
 That unconceiv'd felicity to come!  
 Delicious antepast of boundless blessings—  
 Of those supreme, compleat celestial joys,  
 Transported saints, with rapture, then shall  
 feel, [see]  
 When the pure souls of righteous men made pure  
 Shall with resplendent bodies be rejoin'd;—  
 Bodies, so bright, so vastly glorify'd,  
 In sweet and spiritual manner so reform'd,  
 That, with such rarely corresponding partners,



Rejoicing souls may suitably associate.  
Such is the happy case,—at least,—(so far  
As temp'ral joys may fitly be compar'd  
With satisfactions infinitely sweet,  
And bliss extatic, boundless, and eternal:)  
To such an heart-rejoicing state, as this,  
We, surely, may suppose some small resemblance.

When the glad soul is quiet and serene,—  
When all its various, brisk, enliven'd faculties  
Are fresh and vigorous, free and undisturb'd;  
And, thro' each vein, pure, well-attemper'd  
blood,

With strenuous beat, and sober pace, pursues  
Its constant, duly-circulating course.

These are the rare, the ravishing effects,  
Which, now and then, most happily result  
From two such blessings, in conjunction met,  
As perfect soundness, both of mind, and body.

But, ah! how seldom are they both con-  
join'd!

In this afflictive world, this vale of tears,  
What common things are sickness, grief, and  
pain,

Depositing thoughts, deep sighs, and dreadful

What frequent, fearful maladies infect  
Our daily-dying part,—this mortal body!

What dire distempers indicate the doom,  
It must expect,—a speedy dissolution;

Still pointing out, to our distracted view,  
(O horrid sight!) the grisly king of terrors!

Nor is, alas! that nobler part of man,  
That principle divine, at all exempted

From dreadful ills:—in this vain, sinful world,  
The soul itself is subject to diseases!

And, of a far more dismal, dang'rous kind,  
Than what, with fierce attack, thus overturn

These mouldring monuments of human frailty,  
And cause 'em, soon, to mingle with the dust.

How oft does pride,—th' infernal, fertile pa-  
rent

Of sin and folly, wickedness and vice,  
Prove the direct forerunner of destruction,

And an big spirit go before a fall!  
O! bow, beyond all bounds, does wild ambition,

And the vain puff of popular applause,  
Swell each aspiring, proud, insatiate soul?

The lust of lawless pow'r, and thirst of gain,—  
How do they fill the world with endless rapine!

How is the mean, the narrow, sordid soul  
With paltry views, still, wretchedly contracted!

How starves the miser in the midst of plenty!  
With what a wanton, prodigal profuseness,

Do others oft consume upon their lusts,  
Their hoarded heaps of base, unrighteous mam-

mon,—  
And (stead of wisely making friends thereof,) [groans!]

Indulge, in sensual sort, their brutish fancy,  
And sacrifice their gold to guilty passions!

With front elate, man views his prosp'rous  
fortune;

But, when adversity, with rueful face,  
Comes rushing on, he sinks into despair.

If the sad prospect of approaching ills,

Of woful want, and consequent contempt,  
Display itself in deep and dismal colours;—  
Or, if triumphant villany appear,  
In glitt'ring pomp, to her offended view,—  
How is the soul then fill'd with dire alarms!  
How rack'd with envy, and enrag'd with  
wrongs!

To what a dreadful precipice are some,  
By bold presumption hurry'd!—and, again,—  
(Thus are we vainly bent upon extremes!)  
What doubts perplex the melancholy mind!  
How is it overwhelm'd with cares and fears!

But, if poor, mortal, miserable man  
(As oft it haps,) be, all at once, afflicted,  
Both in his mind, and body, and estate;  
O! how compleatly wretched is he, then,—  
In what a labyrinth of woe bewilder'd!

[To be continu'd.]

#### The CHOICE of a WIFE.

MARCUS, the pleasure of your future  
life

Depends on choosing, prudently, a wife.

This great concern demands your utmost care,  
Would you avoid the torments others share:

The muse, at your command, with pleasure  
brings [sings,

Her help, to aid your choice,—and thus she

Such be her birth, as best will suit your own,  
Neither too mean, nor of too great renown;

For so prepar'd for all the turns of fate,  
With decent joy she'll meet a prosp'rous state;

Or should the meagre hand of pale distress,  
With pinching want, on every side oppress,

Unmov'd at fortune's frowns, she'll sit and  
smile,

With chearful patience half your cares beguile.

Let beauty's pleasing smiles her face adorn,  
Gracefully modest, like the blushing morn;

Soft be the melting musick of her tongue,  
Artless and kind, sweet as the Siren's song;

Her actions free, her thoughts not vainly great,  
Nor idly mean, but betwixt both compleat;

Easy her shape, majestick be her mien,  
Moving respect and love, when'er she's seen:

Her temper affable, serene, and gay,  
O'er which let no tempestuous passion sway;

Aw'd by right reason, let her act and move,  
Aiming at nothing, but to keep your love;

And unconstrain'd in virtue's paths go on,  
With piety to God, and truth to man:

You then agreeably your days will spend,  
Finding in her, at once, a wife and friend.

But should you, Marcus, mindless of your  
fate,

From the vain crowd of females choose a mate;

Confin'd to nonsense, vanity and pride,  
Eternal noise, and fifty ills beside,

(Altho' at first the stirring thing may please,) [sings,

You'll soon regret the fatal loss of peace.

Or if, ambitious, you should wed a dame,  
Who by her birth preeminence may claim,

At every disappointment, think to hear,  
In boisterous language sounded in your ear,

Of

Of all that her fam'd ancestors have done,  
The many laurels which her grandfire won:  
From hence, the nat'ral consequence, will flow  
Her *condescension*, when she stoop'd to you:  
"And dare you now refuse?"

Or, should you, to avoid this grating pain,  
Elect a maiden from the meanest train,  
No lovely prospect on your choice will wait,  
For dirty thoughts, attend a dunghil state;  
The sad depravity of birth will prove  
Too deeply fix'd, for fortune to remove.

Sept. 5, 1739.

S. G.

## On MIRANDA.

WHEN tuneful *Orpheus* sung the fair one's  
praise,

And hills, and vales, resounded with his lays,  
When warm'd by musick's animating sound,  
The feather'd choir did his fam'd harp surround,  
Each jealous maid, a deep resentment shew'd,  
And rage incessant in each bosom glow'd;  
Each conscious of her charms the man upbraids,  
Each angry fair reviles the fairer maids.  
Oh should the poet's hapless fate be mine,  
Should ev'ry injur'd maid against me join,  
Tho' hills and vales resounded with my lays,  
Still would I sing *Miranda's* matchless praise.

Oh thou, my guardian angel, heav'n-born  
maid,

*Erato* fair, my feeble fancy aid;  
Still may I hope for thy peculiar care,  
To raise my infant voice, and charm the fair.  
Convey, ye southern winds, thro' distant glades,  
O'er craggy mountains, and thro' lonely shades,  
Convey o'er woody wilds, *Miranda's* fame,  
Ye lowly vales, resound the fair one's name.  
Mild as the queen of *Cytherean* groves, [proves;  
I s the dear maid, whom most my soul ap-  
S o great her pow'r, that all are sighing slaves,  
S he kills at pleasure, and at pleasure saves.  
I n *Layton's* shades, blest scenes of social love,  
E nvy'd she dwells, tho' all her charms approve.  
N ot *Ida's* shades, where wanton *Venus* stray'd,  
N or *Paphos'* groves, enclos'd a lovelier maid:  
Y oung and as blithe as rosy-footed *May*,  
T rue without art, without coquetry gay;  
E ncircled by a croud of sylvan swains,  
N o day but what new conquests she obtains.  
C ease then, unhappy youths, nor hope to gain  
H er, whom ye sigh for, for your sighs are vain.

COMUS.

To a young LADY, who spoke in Defence of  
LIBERTY.

L IBER ut esse velim, suavis, pulchra  
Maria;  
Ut liber maneam, pulchra Maria, vale.

The preceding imitated.

P OLLY, you said, 'twas best to lead  
One's life at liberty;  
So to remain, fair nymph, I then  
Will bid adieu to thee.

T. Ke—bt.

From Common Sense, Sept. 22.

## The Discontented APE. A FABLE.

I OWN, 'tis true, my frugal board  
Luxurious plenty never stor'd:  
No pow'r have I thy throne to awe,  
Proud *Spain*, or give thy frenzy law.  
Ne'er did persuasion tip my tongue  
With beauteous art, to lead along  
A following croud; nor e'er my wit  
For polish'd ears was nicely fit.  
I murmur not: plenty annoys  
Sometimes, and, sure as want, destroys:  
Pow'r swells to madness; eloquence  
May prove the bane of honest sense:  
And wit men hate as well as fear;  
Our wicked wit may cost us dear.

Our ev'ry lot's from God's own will:  
'Twas always best, and must be still.  
God's prudent hand well knows to give;  
Happy, could man as well receive!  
Why then repine? why ask for more?  
'Tis hurtful, or 'twas yours before.  
Ask nothing, but what all may find  
Who truly seek—an honest mind.  
"Five thousand acres (*Pbenio* said)  
Behold my bending harvests spread,  
My deer along wide forests scud,  
Tail rev'rend oaks imbrown the wood;  
My side-board groans with massy plate,  
Full twenty liv'ries round me wait.  
Yet what, O what are these? can these  
My nicer honour safely please,  
Whilst *Assis* must be brib'd to trace,  
From *Saxon* kings, my nameless race?  
What can I do? from all your store  
One blessing grant, I ask no more.  
Grant me, good heav'n's, a noble wife:  
Thus shall fair fame adorn my life,  
My son with glorious blood shall glow,  
And the rich tide thro' ages flow."  
Heav'n tir'd the frequent fool to hear,  
Unwilling grants at last his pray'r.  
The day is come, th' illustrious bride  
Deigns one short night to grace his side:  
After ten months of mutual hate,  
My lady must lie-in in state;  
To light a puny creature's brought,  
A thing by nine peers half begot.  
The boy poor *Pbenio* views, and spies  
His grace's nose, his lordship's eyes;  
Those lips the gentle baron speak,  
And the pale viscount wann'd that cheek.  
He swears 'tis all Sir *James's* son,  
And damns the features not his own.  
Such are by av'rice, pride oppress'd,  
The world's own fools and lawful jest;  
But all kinds feel the rage to rise,  
The gay, the grave, the mad, the wise;  
For pow'r each hour of ev'ry day,  
Fancy's proud slaves devoutly pray,  
Of all who ask, few can obtain;  
Happy, who most must wish in vain.  
My fable hear. Plac'd in a wood,  
A country ape earn'd daily food;



Fond of his fancy'd parts, and blest,  
His pears and nuts were thought the best.  
But soon uneasy, weary grown  
With the low business of a clown,  
Restless, he fled their vile employs,  
Their servile cares, and stupid joys:  
His parts he thought too meanly far'd,  
And honesty too much rever'd.  
It chanc'd, his friends and he resort  
To view the splendors of a court—  
Pleas'd with its state, with dazz'ling pow'r,  
Too much he dreads the wretched hour  
Which warns him home—"O spare me, *Jove*,  
Nor bear me from the place I love:  
I hate the wood's inglorious ease;  
O let me act in scenes like these:  
For some small place I'm surely fit,  
All own my talents and my wit."

To plague the discontented beast,  
*Jove* nodded to his fond request:  
The wretch, by grandeur's charms beguil'd,  
In quest of power severely toil'd,  
With crook'd design, with cunning sense,  
And all the art of impudence;  
In jealous hint, suspicion sly,  
His doubtful tongue would mean a lye:  
Yet no one with a bolder grace  
Could hold out falsehood's naked face.  
Above, below, around he plies,  
By secret workings, where to rise:  
Destruction waits each beast of worth,  
To lead his meaner merit forth.  
'Tis dang'rous if the leopard stays,  
The generous horse is sent to graze:  
The noble tiger's thought too proud,  
The fox has art, the dog's too good;  
The faithful dog can't long be in,  
His plainness is too vile a sin.

'Twas thus he cozen'd friends and foes,  
And safe o'er ruin'd virtue rose.  
Behold him seize the royal ear,  
And stalk a weighty minister!  
The monarch's eyes decay'd are grown,  
A gentle opiate seals 'em down:  
Unaw'd, alone the realm he sways,  
Oppression on its vitals preys;  
By rapine fat, buoy'd up by crimes,  
In the mad storm of broken times,  
He swells with mighty mischief great,  
And boasts a pow'r to curse a state.

Base grandeur! yet how short, how vain!  
The rousing forest feels her chain,  
She roars aloud her injuries,  
Forc'd to join the growing cries;  
His foes are warm, each friend forsakes,  
Sharp conscience stings, with fear he quakes,  
Like some old ill-built un-propt wall,  
Behold him totter, nod, and fall.

An ant, in nature deeply read,  
His rise and end observing, said:  
*Just, tho' severe, is folly's fate:*  
*Blow'd of Jove, ourselves we hate.*

*The Verses to Mr. Bridges came too late for  
this Month. We shall be oblig'd to our Correspondent  
for the Favour to promise.*

To a LADY commanding her LOVER'S AB-  
SENCE; in Imitation of a French Epigram.

BAnish'd by your severe command,  
I make an awful, sad retreat  
To some more hospitable land,  
But shall I then my fair forget?  
No, there I'll charm the list'ning throng,  
With repetitions of thy name;  
My passion tell in plaintive song,  
And sadly pensive sooth my flame.  
With in-bred sighs, the grateful swains  
My tale will beg me to renew,  
Sweetly pleas'd, beguile their pains,  
Transported—when I speak of you.  
But shou'd some curious youth demand,  
Why from your beauteous theme I stray?  
With what confusion shou'd I stand;  
What would my charmer have me say?

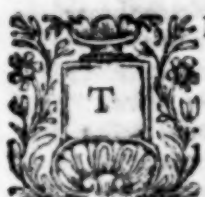
Part of the last CHORUS of the 4th ACT of  
*Medea*, imitated from Euripides.

FROM things consider'd, with a stricter  
view,  
And deeper thought, this fatal truth I drew:  
Sure of mankind, th' unmarried part is blest,  
By joys too much distinguish'd from the rest.  
Suppose there are ('tis but suppose, I fear)  
Pleasures that cou'd the nuptial state endear;  
Think thou mayst wish, and ev'ry wish enjoy,  
A beauteous daughter and a blooming boy:  
Still where's the mighty comfort of a wife,  
Or what is wanting in a single life?  
Pity not ours, nor thus thy fate admire;  
The bliss we know not we can ne'er desire.  
Yet this advantage on our side we boast;  
The good is little, vast the ill we lost. (pair;  
All hush'd and calm!—no griefs our ease im-  
Free from the father's many a gripping care:  
First how the child may gen'rously be bred,  
Adorn'd with arts, and thro' each virtue led:  
Next, how to crown him with a fair estate,  
And, so to make him happy, make him great.  
Parents from labours to new labours run,  
To hoard up treasures for the darling son:  
Yet know not what this darling son may prove,  
A roving spend-thrift may reward their love.  
Not small the evils which we here behold,  
But far the greater still remain untold.  
Just when with utmost pain the drudging fire  
Has rais'd a fortune answering his desire;  
Already the first scene of life is done,  
The boy forgotten, and the man begun;  
Large promises and hopes the youth incite  
His father's glory, and his friends delight;  
But sullen clouds involve the brightest day,  
The lov'd, the wondrous youth untimely pines  
away.

Too well, alas! too well, ye gods, we knew  
Our troubles many, and our pleasures few;  
Why needed this fresh plague be added more  
To the rich, boundless, miserable store?  
The old, as cloy'd with life, to death belong,  
But must it rudely seize the brave, the young?  
In vain we strive; the cruel doom is read,  
The blossom's wither'd and our hopes are fled.

THE

# THE Monthly Chronologer.



THE latter End of last Month, 4 Persons receiv'd Sentence of Death at *Newcastle upon Tyne*, and (which is very remarkable) all for Murder, viz. *Thomas Pearson*, for the Murder of *Robert Langstaff*; *William Smith*, for the Murder of his Wife; *John Wilson*, for the Murder of *Barbara Trumble*; and *Michael Curry*, for the Murder of *Robert Sheavel*.

On the 31st, the following Ships of War were put into Commission, viz.

Ships.	Men.	Guns.	Captains.
Princess Amelia	520	80	J. Hemington.
Cumberland	520	80	James Stuart.
Norfolk	520	80	Tho. Graves.
Defiance	365	60	John Trevor.
Rippon	365	60	Hump. Orme.
York	365	60	John Gascoine.
Tilbury	280	50	Robert Long.
Litchfield	280	50	John Towry.
Bristol	280	50	W. Chambers.
Rocheſter	280	50	Corn. Mitchell.
Wincheſter	280	50	James Lloyd.
Ludlow Caſtle	190	40	John Crawford.

SATURDAY, Sept. 1.

An Expreſs arriv'd at the Poſt Office, with Advice that *Limpus*, was capitally convicted at the Aſſizes at *Wells* in the County of *Somerset*, for robbing the Western Mail. He was ſoon after executed.

WEDNESDAY, 5.

*Sir Thomas Geraldino*, the *Spaniſh* Ambaſſador at this Court, ſet out this Morning for *Dover*, accompanied by *Mr. Terry*, the King of *Spain's* Agent for the *Aſſiento* Contract, on their Way home. His Excellency had an Order from his Grace the Duke of *Newcaſtle* to the King's Agent of the *Poquet* Boats at the ſaid Port, to accommodate them with a Boat for *Calais*, if required. As ſoon as they took Coach, a *Spaniſh* Courier, ready mounted, rode off with an Expreſs to *Madrid*, to acquaint the Court of *Spain* with their Departure. *Mr. Keene* left *Madrid* about the ſame Time.

SATURDAY, 8.

This Night ended the Sefſions at the *Old Bailey*, when the following Perſons received Sentence of Death, viz. *William Cardell*, for a Street-Robbery; *John Albin*, for the Highway; *Edward Goyner*, for the Murder of his Wife; *Elizabeth Harwood*, for the Murder of her Baſtard Child; *John Maw*, alias *Morris*, for robbing the *Reading Waggon*. The Jury recommended *Cardell* to his Ma-

jeſty's Mercy. One was burnt in the Hand, Seven ſentenced to be Whipp'd; and Thirty for Transportation.

MONDAY, 10.

This Night was a moſt violent Storm of Lightning and Thunder, accompany'd with an exceſſive Rain. The Flaſhes of Lightning were as quick and at the ſame Time as ſtrong, as perhaps were ever known in this Part of the World; tho' the Thunder was not ſo violent. It began at 7 in the Evening, and the Flaſhes continued, more or leſs, till 12 at Night. The next Day the Wind was exceeding high from Morning till Night, which did conſiderable Damage to the Shipping, &c.

FRIDAY, 14.

This Day were executed at *Kennington* fix of the eight Malefaſtors condemn'd laſt Aſſizes at *Kingſton*, viz. *John Hanna*, *Michael Lucas*, *Eleanor Spencer*, *Noah Goſbe*, *Peter Willington*, and *Joanna Raſhford Sambo*. (ſee p. 411.)

By the *South Sea Company's* Answer to the *Spaniſh* Maniſeſto, as far as relates to the 68,000 *l.* ſaid to be due from the Company to his Catholick Maſteſty, it is ſaid, it is manifeſtly made out that on the Balance of Accounts there is due from the Crown of *Spain* to the Company above 130,000 *l.* a ſufficient Reaſon for their General Court to reſuſe the Payment of the 68,000 *l.* demanded.

SATURDAY, 15.

Came Advice from the *Downs*, that Admiral *Balchen*, with the *Namur*, *Ruffel*, *Buckingham*, *Prince of Orange*, *Superb*, *Orford*, and *Lyon* Men of War, were ſail'd from thence for *Spithead*, to join the *Kent*, *Lenox*, *Elizabeth*, &c. which laſt Ships left Admiral *Vernon*, who was bound for *Jamaica*, and arriv'd at *Spithead* about 3 Weeks ago, in order to join *Sir John Norris's* Squadron.

SUNDAY, 16.

His Maſteſty's Ships the *Tyger*, *Mercury*, *Duke* and *Anne* Fire-Ships, and the *Salomander* Bomb Ketch, ſet ſail from the *Downs* for the *Mediterranean*, with the Fleet of Merchant Ships bound to *Liſbon*, *Oporto*, *Leghorn*, &c. under their Convoy.

FRIDAY, 21.

A Proclamation was iſſued for calling the Parliament to ſit for the Diſpatch of Buſineſs on the 15th of *November* next.

SATURDAY, 22.

Was fix'd on a Marble Peſtetal, in the middle Square of *St. Thomas's-Hoſpital*, the Statue of the Founder, King *Edward VI.* in Beaſts, which was left by *Charles Joy*, Eſq. deceaſ'd, late Treasuſer of the ſaid Hoſpital.

SUNDAY,



SUNDAY, 23.

The Court went into Mourning for the late Landgrave of Hesse Darmstadt.

WEDNESDAY, 26.

At a General Meeting of the Liverymen of London, at Vintners-Hall, it was unanimously agreed to return Sir John Salter and Sir Robert Goddard to the Court of Aldermen, for their Choice of one of them to be Lord-Mayor, in Opposition to Sir George Champion, who was next the Chair.

FRIDAY, 28.

Mr. Ald. Heatcote, and Sir John Lequesne, Kt. and Ald. the 2 new Sheriffs, were sworn in at Guildhall.

We had an Account from Bremen, That on the 22d Instant N. S. about half an Hour past One in the Morning, the Lightning struck into their Fort call'd Broide, which stood near and covered the Bridge between the old and new Cities, and above 40000lb. of Gunpowder laid up there, took Fire, and blew up the whole Fort, with several adjacent Houses and Mills, and spreading over both Cities, set fire in about 25 different Places, which put all the Inhabitants under the greatest Consternation; but a heavy Rain falling, and by the Help of the People, the Flames round about were happily extinguish'd. About 40 Persons living near the Fort were kill'd, and near 1000 Houses damaged.

## MARRIAGES and BIRTHS.

REV. — Belton, M. A. to Mrs. Davis, a 6000*l.* Fortune. — Mr. Langley, an eminent Surgeon, to Mrs. West, Widow of the late Dr. West, a Lady with 800*l.* per Ann. and 10,000*l.* in Money. — Sir Edward Turner, of Ambrosden, in Oxfordshire, Bart. to Miss Leigh of Gloucester, a 12,000*l.* Fortune. — Thomas Digby, Esq; to Miss Clayton, only Daughter of Charles Clayton, Esq; lately deceas'd, a 12,000*l.* Fortune. — Robert New, of the Middle-Temple, Esq; to Miss Glanville. — Jos. Knight, of Ashburton, Devon, Esq; to Miss Kitchingham. — Tho. Le Cocq, Jun. Esq; to Miss Elizabeth Walmsley. — John Dodd, Esq; of Berkshire, to Miss St. Leger of that County. — Mr. Samuel Turner, an eminent West-India Merchant, to Miss Elizabeth Wright of Farnham, a 10,000*l.* Fortune. — Richard Holford, Esq; Nephew to Robert Halford, Esq; one of the Masters in Chancery, to Miss Metcalf of Lamb's-Conduit-Street, a 7000*l.* Fortune. — Dr. Handasyde, to Mrs. Bathurst. — The Lady of Charles Town, Esq; Sister to the Rt. Hon. the Earl Ferrers, deliver'd of a Daughter. — Lady Francis Burgoyne, Wife of Sir Francis Burgoyne, Bart. and Sister to the Earl of Halifax, deliver'd of a Son and Heir. — The Lady of the Hon. Henry Pelham, Esq; of a Daughter.

## DEATHS.

LAST Month, at Paris, the Rt. Hon. the Lady Seaford. — Tho. Allen, Esq; Counsellor at Law, and a Commissioner of

Bankruptcy. — Mr. Tho. Teaton, an eminent Silk Throwster in Spittle-Fields, in the Commission of the Peace for Middlesex. — Capt. Macroe, of Lieut. Gen. Columbine's Reg. at Gibraltar. — At Reading in Berks, William Allen, Esq; — Rev. Mr. Greenberry, Rector of Foul-Sutton in Yorkshire. — Rev. Mr. Knight, A. M. Sub-Chantor and one of the Vicars Choral of York Cathedral, &c. — Mr. Cornelius Jesson, one of the most considerable Sail-Cloth-Makers in England. — William Shirley, Esq; Capt. of a Comp. in a Marching Reg. in Ireland. — Capt. William Franks, aged 93, who serv'd in the late Wars in Flanders. — The Lady of Christopher Tilson, Esq; First Clerk of the Treasury. — At Chelsea-College, Capt. Gibbons, eldest Capt. of that Hospital, who behav'd with great Bravery in the Wars in Flanders. — Francis Burton, Esq; Receiver General of the Deduction of the Civil List. — Mr. Hart, Head Surgeon of Fortin's Hospital at Portsmouth, which Post he had possess'd 50 Years. — In the 15th Year of his Age, Peter Stephenson, Esq; of Yorkshire, possess'd of an Estate of 900*l.* per Ann. which devolves to his next Brother, aged about 11. — Charles Worsley, Esq; one of the Benchers of the Middle-Temple. — Mrs. Frankland, a Maiden Lady, Sister of the late Sir Thomas Frankland, of Dean in Middlesex, Bart. — Rev. Dr. Bolton, Minister of the Dutch Church in Austin-Fryars: He was Chaplain to King William. — At Ghent in Flanders, aged upwards of 90, George Payne, of Wylam in Northumberland, Esq; F. R. S. Member of the Royal Academy at Berlin, of the Noble Institute of Bologna in Italy, &c. — George Lilla, Esq; Author of George Barnwell, the Christian Hero, &c. — Hon. Mrs. Townshend, Wife to the Hon. Tho. Townshend, Esq; Brother to the Lord Viscount Townshend. — Hon. Eyer Evans, Esq; Brother to the Lord Carberry of the Kingdom of Ireland. — Charles Hornby, Esq; Chief Clerk in the Pipe-Office, a Place of 800*l.* per Ann. — Rev. Mr. Roe, M. A. Chaplain to the Rt. Hon. the Earl of Rockingham. — Lady Everard, Relict of Sir Richard Everard, of Bromfield-Green in Essex, Bart. and one of the Daughters of the late Bishop Kidder, who was kill'd (at Wells) in the great Storm in Nov. 1703. — Charles Hale, Esq; possess'd of a plentiful Estate in Hertfordshire. — Miss Anne Armstrong, Daughter to Brig. Gen. Armstrong. — Henry Lupton, Esq; a Gentleman of a large Estate in Worcestershire. — Mrs. Wolfenbolme, of Forty Hill, near Enfield. — Miss Love of Clapbam, Daughter of Samuel Love, Esq; formerly a Turkey Merchant. — In Scotland, the Lady Craigen-tenny. — Sir Francis Boynton, Bart. Memb. of Parl. for Heddon in Yorkshire. — At Oxford, Mr. Townsend, the great Mason and Builder. — Rev. Mr. Metcalf, Vicar of Sumbury and Hamworth. — Rev. John White, A. M. Prebendary of Durham.

R r r

Eccle-

## Ecclesiastical PREFERMENTS.

**T**HE Worshipful Dr. *John Bettefworth*, Judge of the Prerogative Court of *Canterbury*, appointed Commissary to the Bishop of *London's* Court; and Dr. *John Andrew* (Master of the Faculties) made Chancellor of the Diocese of *London*, in the Room of the late Dr. *Henchman* — Mr. *William Turwile*, A. M. Vicar of *Long Clauston* in *Licestershire*, and a Justice of the Peace for the said County, presented to the Rectory of *Harby* in the same County. — Mr. *Bolt*, M. A. Rector of *Read* and *Woolverton* in *Somersetshire*, to the Rectory of *Yatebury* in *Wiltshire* — Mr. *Drake*, to the Rectory of *Foul-Sutton* in *Yorkshire*. — Mr. *Gay*, M. A. Vicar of *Hawnes* in *Bedfordshire*, to the Vicarage of *Wilthamstead* in the said County. — Mr. *Huddleston* made one of the King's Chaplains in Ordinary. — Mr. *Moseley*, presented by *Merton-College*, *Oxford*, to the Rectory of *Malden* in *Surrey*. — Rev. and Hon. *James Beaucherk*, (commonly call'd Lord *James Beaucherk*) made one of the King's Chaplains in Ordinary. — Mr. *Griffith*, M. A. Rector of *Whiston* in *Yorkshire*, presented to the Rectory of *Ekington* in *Derbyshire*. — Mr. *Samuel Carrington*, to the Living of *Wasa* in *Yorkshire*. — Hon. and Rev. Mr. *Finch*, made a Prebendary of *Winchester*. — Dr. *Lewin*, presented to the Chancellorship of the Diocese of *Rockester*, in the Room of the late Dr. *Henchman*. — Mr. *Fromasteel*, to the Living of *Coltborp*, by the Mayor and Commons of *Norwich*. — The

Worshipful Dr. *George Lee*, appointed Official of the Archdeaconry of *Rockester*, in the Room of the late Dr. *Henchman*.

## Promotions CIVIL and MILITARY.

**H**IS Grace the Duke of *Marlborough* appointed Col. of his Majesty's own Royal Reg. of Dragoons, in the Room of Lieut. Gen. *Gore*, deceased. — Lieut. Gen. *Churchill*, made Governour of *Kingston upon Hull*. — Major General *Cope*, Governour of *Londonderry*. — Brig. Gen. *Bowles*, Gov. of *Limerick*. — His Majesty appointed Capt. Lieut. *Lampton*, to be Col. of the Comp. in the 2d Reg. of Foot-Guards, late Col. *Chudleigh's*, deceased; — Lieut. *Letbiewillier*, to be Capt. Lieut. of the Earl of *Scarborough's* own Company, in the Room of Col. *Lampton*; — Ensign *Granfon*, to be Lieut. in the room of Capt. Lieut. *Letbiewillier*; — George *Chudleigh*, Esq; eldest Son of the late Col. *Chudleigh*, to be an Ensign in the said Reg. in the room of Lieut. *Granfon*. — Robert *Jocelyn*, Esq; Attorney Gen. in *Ireland*, appointed Lord High Chancellor of that Kingdom. — Hon. *Rob. Trevor*, Esq; appointed Envoy Extraordinary to the States-General. — Major Gen. *Armstrong*, made Master General of the Ordnance in *Ireland*. — The Son of Major *Roberts*, made Page of Honour to the Princess *Caroline*. — Capt. *Hickmon*, made Major to Gen. *Sabine's*, Reg. of Royal *Welsh* Fusiliers, in the room of Major *Pole*. made Lieut. Col. to Brig. *Bowles's* Reg. of Dragoons in *Ireland*.

## Prices of Stocks, &amp;c. towards the End of the Month.

## S T O C K S.

S. Sea 94 $\frac{1}{8}$ a 93 $\frac{1}{4}$	Africa 13 $\frac{1}{2}$
— Bonds 19s.	Royal Ass. 89 $\frac{1}{2}$
— Annu. 109 $\frac{1}{8}$ a $\frac{1}{4}$	Lon. ditto 11 $\frac{1}{4}$
Bank 139 $\frac{1}{4}$ a 139	3 per C. An. 98.
— Circ. 1l. 15s. a 2l.	Salt Tallies $\frac{1}{2}$ a 1l. $\frac{1}{2}$
Mil. Bank 114	Emp. Loan 109 $\frac{1}{2}$
India 155 $\frac{1}{2}$ a 154	Equiv. 112 $\frac{1}{8}$
— Bonds 2l. 17s. a 19s.	Lot. Tick. 7s. 6d.

## The Course of EXCHANGE.

Amst. 35 10 2 $\frac{1}{2}$	Bilboa 39 $\frac{1}{4}$ a $\frac{1}{8}$
D. Sight 35 7 a 6 $\frac{1}{2}$	Leghorn 49 $\frac{1}{4}$
Rotter. 35 11 2 $\frac{1}{2}$	Genoa 52 $\frac{1}{16}$
Hamb. 34 5	Venice 50 $\frac{1}{4}$
P. Sight 31 $\frac{1}{8}$	Lisb. 5s 4d $\frac{1}{2}$ a $\frac{2}{10}$
Bourdx. 31	Oport. 5s 4d $\frac{1}{2}$
Cadiz 39 $\frac{1}{8}$ a $\frac{1}{4}$	Antw. 36 7 a 6
Madrid 39 $\frac{1}{8}$ a $\frac{1}{2}$	Dublin 8 $\frac{1}{8}$

## Prices of Goods at Bear-Key.

Wheat 30 35	Oats 12 14
Rye 13 17	Tares 21 23
Barley 12 18	Pease 19 29
H. Beans 18 25	H. Pease 16 17
P. Malt 16 23	P. Malt 13 18

## Abstract of the London WEEKLY BILL, from Aug. 21. to Sept. 25.

Christned	Males 777	1465
	Females 688	
Buried	Males 1201	2377
	Females 1176	
Died under 2 Years old		1037
Between 2 and 5		227
	5	10
	10	20
	20	30
	30	40
	40	50
	50	60
	60	70
	70	80
	80	90
	90 and upwards	3

2377

May 36 to 42s. a Load.

AFTER



AFTER the *Muscovite* Army under Count *Munich* had passed the *Nießer*, as mentioned in our last, the *Turks* and *Tartars* did not attempt to make any Attack upon him till the 22d of *July*; when Intelligence was brought of a great Appearance of the latter in a Wood near *Choczim*, upon which the usual Signal was made to call in the Foragers. Accordingly, most of them returned immediately to the Camp, but the Detachment that had been sent out to cover them, being too near the Enemy to retire, the Officer that commanded, posted himself with his Detachment, and a few small Pieces of Cannon, so advantageously in a Valley, behind a Parcel of Waggon, that he defended himself till the Arrival of the Picquet Guard, and some other Forces from the grand Army. Count *Munich* coming up soon after with the Horse Guards, and some Companies of Grenadiers, caused the Troops immediately to advance upon a Hill, from whence they could plainly see the Enemy, who fell with great Fury upon the left Wing; but being every where repulsed, and in Danger of being overpowered by the Arrival of fresh Troops from the grand Army, they at last began to retire, tho' not till it was too late to pursue them. In this Action, the *Muscovites* had but 39 Men killed and 112 wounded, tho' the Party of the Enemy that attacked them consisted of no less than 6000 *Turks* and 12 or 13000 *Tartars*, whose Loss must have been a great deal more considerable; because a *Bashaw* with two Tails and several other Officers were found dead upon the Field of Battle, three Pair of Colours and two Battoons of Command taken, and a *Murza* of *Budziack* made Prisoner.

From this Time till the 26th of last Month, the two Armies continued pretty quiet in their respective Camps; but that Night, the *Turkish* Army having, it is supposed, been informed that the *Russians* designed to attack them next Day, they marched and retired into an Intrenchment on which they had been working Night and Day for almost a Month preceding. The Intrenchment was defended by four Batteries of Cannon, two of which were in the Center, and one upon each Wing. The 27th, at Seven in the Morning, the *Russian* Army began their March, and advanced towards the Intrenchment between a Lake and a Marsh; about Nine the Firing began on both Sides, viz. from the left of the *Russians* and the right of the *Turks*, and continued till 7 o'clock in the Afternoon, when the *Russian* Army wheeled suddenly towards the right, marching in order of Battle, and fronting the Intrenchment, under a continual Fire of their Cannon and Mortars. Towards the close of the Evening they formed their Camp near the left Wing of the Enemy, where they rested that Night, and next Morning they march'd out and attacked the Intrench-

ment upon that Side, which they soon forced, and by that Means obtained a complete Victory; the *Turks* having lost all their Artillery and Baggage, besides a great Number of Men. In a few Days after this Victory, Count *Munich* invested *Choczim*, which was immediately surrendered, and the Garison made Prisoners of War.

About the same Time that Advice of this Victory was brought to *Petersburgh*, that Court received Letters from their other General, Count *Lasci*, with the News of the *Turks* and *Tartars* having abandoned *Precop*, upon the Approach of the *Russian* Army under his Command; and the next Day another Courier arrived from Admiral *Bredal*, with Advice that the *Turkish* Fleet in the *Euxine* Sea had been almost destroyed by a furious Storm, by which he was in a Condition to supply Count *Lasci* with every Thing he might want during his Campaign in the *Crim*.

Our late Accounts from *Hungary* and *Vienna* are of a different Nature. Tho' the *Turks* had laid Siege to *Belgrade*, as mentioned in our last, and had continued it for several Weeks, yet they had met with so little Success, that some People began to doubt of their being able to make themselves Masters of the Place, this Campaign, even tho' the *Imperial* Army should not have been in a Condition to raise the Siege. This made People believe that the *Imperial* Court would not, for this Campaign at least, have given Ear to any dishonourable or disadvantageous Terms of Peace; but the *French* Ambassador at the *Port* having arrived in the *Turkish* Camp before *Belgrade*, the 5th of last Month, Count *Neuperg* was sent thither from the *Imperial* Army on the 7th, and, it seems, carried with him full Powers to conclude a Peace. The Negotiation lasted till the 31st, when a separate Treaty of Peace was concluded between the *Emperor* and the *Ottoman Port*, the chief Terms of which are, That *Belgrade*, *Orsova*, and all *Servia* shall be given up to the *Turks*; but the Fortifications of *Belgrade* shall be razed: That the *Emperor* should have leave to withdraw from *Belgrade* his Troops, Artillery, Magazines, &c. and the Inhabitants to have four Days to retire with their Effects: That this Treaty should be guaranteed by *France*: That the *Imperial* Troops should not evacuate the Place till the Fortifications were razed; but, that one of the Gates should be delivered to the *Turks* the very Day the Treaty was signed. This Peace, we may suppose, is owing to the Politicks of the Court of *France*; but the Success their Politicks have, of late Years met with, we must allow, to be owing to a ridiculous Jealousy of the Power of the House of *Austria*, which too often governs the Counsels of some of the *German* Electors. As soon as the Peace was signed, and one of the Gates of *Belgrade* delivered up, the

the *Prime Vizir*, sent a large Detachment from his Army, with Orders to march with all possible Diligence into *Moldavia* against the *Russians*, where they may perhaps meet with rougher Treatment, than they have met with from the *Imperialists* in *Hungary*.

As the *Emperor* has, by this Treaty, deserted his old and faithful Ally the *Czarina*, which is a little the more extraordinary, considering the bad Terms he has got for himself, he has thought fit to declare, that as well in what relates to *Belgrade*, as in all and every

one of the other Particulars of this Treaty, Count *Neuperg* has not only exceeded his Instructions but acted directly contrary to them; particularly in yielding to the strangely precipitate Execution of the Treaty; but as it is impossible to apply a Remedy, he will firmly observe and keep what has been agreed on with the *Ottoman Port*. However, as Count *Neuperg* is neither imprisoned, nor threatened with any capital Punishment, this Declaration seems to favour as much of *French Finesse* as the Treaty does of *French Politicks*.

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